- Desert Shield: How the media failed
- The inner life of Dan Quayle
- Reviews by Walter Shapiro, Ward Sinclair, and Roger Morris

The Washington Monthly

DECEMBER 1990/$3.00

UNCLE SAM DOESN'T WANT YOU!

THE RESULT IS INEPT GOVERNMENT BY MEDIOCRE PEOPLE

by John Heilemann

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If you missed him on MacNeil/Lehrer, don't miss him again.

JOSEPH BLOUGH

On September 12, Erwin Knoll, the Editor of *The Progressive* magazine, appeared on the MacNeil/Lehrer News Hour to give a rare—and eloquent—plea for sanity in the Persian Gulf. Alone among five editors on the panel, Knoll denounced George Bush's belligerent actions and appealed to Americans to resist Washington's warmaking plans.

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The Washington Monthly

Volume Twenty-Two, Number Eleven December 1990

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LETTERS

Government witness

Charles Peters may be right ["Tilting At Windmills," October] that the deep skepticism of many in this community regarding the prosecution of minority officials made a hung jury a near certainty in the Marion Barry trial, regardless of the evidence. I must take exception, however, to Mr. Peters's statement that the trial turned out as it did because prosecutors "of average ability" were outclassed by eminent defense counsel. This happens, of course, but here it did not.

Able as R. Kenneth Mundy is—and he is formidable—prosecutor Richard W. Roberts and his co-counsel, Judith E. Retchin, put forward the government's case with dramatic and sure mastery. They carefully structured the case to allow the full panoply of the mayor's sad conduct to be admitted into evidence: the portrait that resulted was so devastating that the defense was forced to concede the mayor's drug use. Their courtroom finesse allowed them to present to the jury a witness's remarkable account of being raped by Mr. Barry. They stymied the mayor's defense by uncovering, and persuading the court to accept, evidence that his lead-off witness was a drug-user.

This performance comes as no surprise. Mr. Roberts cut his teeth successfully prosecuting police brutality and slavery cases when he served with the Justice Department's Civil Rights Division in the late seventies. These are among the most challenging of all jury trials. After working at Covington & Burling, one of Washington's premier law firms, he went on to earn a distinguished reputation as an assistant United States attorney in the southern district of New York. All who have seen him work will tell you that Mr. Roberts is a superb trial lawyer, seasoned and intelligent, who combines a complete command of his case with a flair for communicating with a jury.

Because of prevailing attitudes in the city, Mr. Peters was surprised that the jury was able to unanimously find the mayor guilty on even one count. He should have perceived that the skill and acumen of the prosecutors were pivotal in bringing about this result.

RALPH DRURY MARTIN
Washington, D.C.

Mr. Martin, currently special counsel to the State Department, was a federal prosecutor for 14 years.

Beer Blast

The *Monthly* plan ["How to Fix the Budget Without Hurting the Country," Nathan Emerson and Afshin Molavi, September] seems constructed largely of wishful thinking, sort of like the economist who fell into a well and when asked how he would get out responded, "First, assume a ladder."

It just doesn't make any sense to, on one hand, say you are protecting working men and women by making the tax system more progressive but then turn around and quadruple the beer excise tax. It's hard to imagine a more regressive tax. We agree with the Economic Policy Institute's recent report concluding that excise taxes are "the most regressive federal taxes."

Most beer is bought by people with family incomes under $35,000. America's beer drinkers already pay more than their fair share in taxes with every six-pack they buy—about 15 percent of the retail price of beer is federal, state, and local consumption taxes. Few other consumer goods are taxed that heavily. Moreover, the average state and local beer tax rate has nearly tripled during the past 40 years.

Anheuser-Busch brews a product that, consumed responsibly, is consistent with a healthy lifestyle. And the large amounts of money and employee effort we expend annually to encourage responsible drinking demonstrate our commitment to the fight against alcohol abuse. But let's not be fooled. The hikes in beer taxes considered by budget negotiators were aimed at funding the S&L bailout and bringing down the deficit—not at reducing alcohol abuse.

STEPHEN K. LAMBRIGHT
St. Louis, Missouri

Mr. Lambright is vice-president and group executive of Anheuser-Busch.

Corporate Karnaks

Please ask Jonathan Rowe to explain his statement ["America's Inc. Stain," September] that " . . . most companies return many suggestions unopened, to forestall litigation over royalty claims."

If a suggestion is not so indicated on the envelope, how do they do it?

Will wonders never cease!

GRANT HARRISON
Alexandria, Virginia

Conventional ideas

Your "review" of the annual American Association of School Administrators Convention ["Not-So-Super Superintendents," Susan Ohanian, September] presents a classic case of a person who has an ax to grind. I refer to Susan Ohanian's work as a review, since it could never qualify journalistically as a legitimate article.

The review fails to point out some fairly significant features of the convention program, such as: Secretary of Labor Elizabeth Dole, speaking on the transition of students into the workforce; Charles Garfield, author of *Peak Performers*, discussing productivity; Duncan Graham, head of Great Britain's National Curriculum Council; and Georgetown University Law Professor Eleanor Holmes Norton, speaking about conditions affecting our nation's children.

Issues covered in depth during our convention included: curriculum, instruction, evaluation, getting and keeping quality teachers and administrators, helping at-risk youth become successful in school and in life, how to deal with gangs and violence, early childhood education and child care, how to increase student achievement, and many, many others.

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School administration is the hottest kitchen in the world. Those who serve in our profession need to be adept at everything from ensuring that students learn to read to making sure they receive love and attention they may not find at home. Their rewards come from knowing that because of what they do, children are getting a good education that will prepare them to live productive and fulfilling lives. They're accustomed to taking heat, but your kind of impudent bashing is a downer for those who are so dedicated to serving others.

RICHARD D. MILLER
Arlington, Virginia

Mr. Miller is the executive director of the American Associations of School Administrators.

Extra credits

Last May, the Monthly *published a story called "Beyond Money: Replacing the Gold Standard with the Golden Rule," by two contributing editors, Jonathan Rowe and Steven Waldman. The story described the "service credits" system, by which a volunteer is in essence repaid for his hours of service by other volunteers when he himself is in need. In September,* Reader's Digest *ran a condensed version of the story, and since then we've been bombarded by letters requesting reprints of the original story and whatever other information on service credits we may have. A couple of the letters follow:*

I would like to have more information on this credit program and write them because my mother had a second stroke August 1. I'm having a time finding help. And I know of others who need help also. I would like to start a program in our church, not just for myself, but for many others that need help too.

There's many in Jasper and Newton, Texas that would benefit from this type of program.

I would appreciate your help.

PEGGY SYMMS
Jasper, Texas

I was intrigued by the article and would like to learn how to start a program like this in my community. If you could, I would like you to send me the address of the founder of this movement. The leader's name is Edgar Cahn, a professor of the District of Columbia School of Law. I think his idea is fantastic.

I'm a younger person in my community, and I know a lot of elderly people who would regain self-dignity and would love to be a part of an organization such as this.

Please send me Mr. Cahn's address or forward this letter to him. I think he would be pleased to know that he could make a difference in so many lives, even as far away as Pennsylvania.

CINDY KUHN
Dubois, Pennsylvania

For reprints of the original story, write The Washington Monthly. *For further information about starting a service credits program in your own community, send one dollar and a self-addressed, stamped business envelope to:* Essential Information; P.O. Box 19405; Washington, D.C. 20036.

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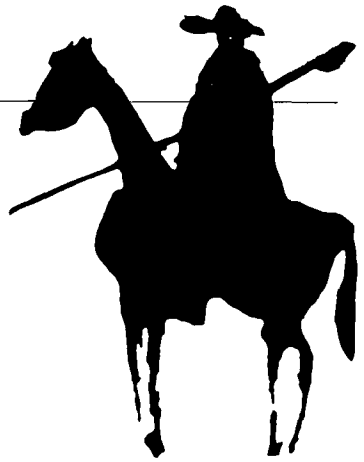
TILTING AT WINDMILLS



Almost no one has commented on Congress's failure to give the social security tax relief to the working poor and lower middle class that Daniel Patrick Moynihan had so wisely urged. This could have been financed by raising the contributions the rich make to Social Security or raising the top income-tax rate to 33 percent as the House favored. Thus it would not have increased the deficit. I think most economists would concede that extra money would be more antirecessionary in the hands of the poor than in those of the wealthy, who would waste too much of it on luxury imports and foreign travel, neither of which helps the U.S. economy. . . .

The latest glimpse into the Republican soul is provided by Maureen Dowd, who reports that as George Bush was campaigning in Tyler, Texas, for Clayton Williams, the GOP gubernatorial candidate, and trying to convince the voters that "Republicans are the party of the working class," Mrs. Williams showed up at the president's side wearing a full-length fur coat and two large diamond rings. . . .

I have long advocated offering a book contract to the leading suspect as the best way of cracking unsolved crimes. Now I have a similar tip for television journalists: As a way of getting Washington sources to go on the record, indicate, to the extent your conscience permits, that the interview will lead to appearances on talk shows. I have a feeling that this city is full of would-be David Gergens who secretly view their public service as an opportunity to audition for media celebrity. . . .

Speaking of TV celebrities, one of the better-known women anchors was recently scheduled to speak for a group with which a friend of mine worked. Anxious to get an advance copy of the speech, my friend called the anchor's secretary. "What speech?" the secretary indignantly replied. "You haven't scripted her yet." Unlike politicians and CEOs, the anchor didn't even plan on working with a speechwriter. She just expected "her" speech to appear magically at the appointed hour—just like her TV scripts, apparently. . . .

During election night, how often did you hear that the party of the governors was important because of their power over congressional redistricting for the 1990s? Did you hear any of the pundits say that state legislators have even more power, so even though Republican Pete Wilson may be governor of California he's not going to be able to dictate redistricting to the legislature? The most governors can do is use their veto power as a bargaining tool in redistricting negotiations, but it is the legislators who will actually write the bills. So, even more significant than the Democratic control of 28 governorships is their complete control of 31 state legislatures and control of one chamber in at least 13 other states. In only *four* do the Republicans control both houses, and in two of those they don't have the governor's office. . . .

Just in case you thought those drunken Northwest pilots were an isolated case, consider Ronald Riley, who, when his car was stopped by a Michigan sheriff, explained in a slurred voice that he shouldn't be arrested for drunk driving because he had to get to the airport in time to pilot a plane.

Six weeks later, on September 28, Riley's plane crashed. Found in it were an open can of beer and an empty quart-size beer bottle. He had three drunk-driving convictions. His driver's license had been revoked. But he could still fly a plane.

"Even three drunk-driving convictions in a year," writes Ron French of Knight-Ridder, who reported this story, "doesn't automatically ground a pilot. . . . The FAA relies on the pilots to report themselves. If a pilot doesn't tell the FAA that he has been convicted of drunken driving, it is unlikely the governing agency will find out."

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Yet Secretary of Transportation Samuel Skinner, who presides over the FAA, is constantly touted by administration insiders as one of the most capable men in Washington. He is, in fact, another one of those types, of which fancy Washington lawyers are the prime example, who manage to appear professionally skilled as they time after time accommodate their views to the interests of the powerful. Try for a moment to think of more than one action that Skinner's department has taken that protects the public but displeases the industries it oversees. . . .

In connection with James Bennet's article on the press's failure in the Gulf crisis (see p. 8), I am heartened that the *Monthly* has been joined by Mark Shields in *The Washington Post,* John Kenneth Galbraith in *The New York Times*, and a number of others in the media in our concern that only the poor and the lower middle class are risking their lives. To the best of my knowledge no major papers have taken this stand in their own editorials. Yet, according to a Pentagon study, it is clear that the privileged elite is not doing its part. Of the parents of enlisted personnel, only 19 percent of the fathers and 14 percent of the mothers are college graduates.

But Michael Kinsley continues to say that the elite shouldn't feel guilty about their absence from the Gulf:

"Anyone who enters the military service . . . out of a guilty conscience will take the place of someone who is there for some practical reasons. That person may not be grateful to be denied this opportunity so that some yuppie can enjoy an egalitarian moral frisson."

Do you really believe, Michael, that if you offered to trade places with a soldier in the Gulf right now that you wouldn't have a taker or two?

And if you were out there, I would bet that your outrage against the troop commitment would be so eloquent that you would even make doves out of Martin Peretz, Morton Kondracke, and the rest of your colleagues at *The New Republic*.

And while few of the soldiers could write a column as well as you, I do think they would enjoy sitting in your comfortable climate-controlled office, with Washington's best restaurant I Ricchi just downstairs, and they would surely spare us such toneyisms as "egalitarian moral frisson." . . .

Speaking of lack of opposition to American involvement in a Middle Eastern war, only three senators opposed the October 2 resolution that was the equivalent this time to the Tonkin Gulf resolution that gave LBJ the green light in Vietnam. Of course you can argue that this means things are getting better—only two senators opposed Tonkin Gulf. . . .

If you wondered why Phil Donahue's audience was cheering its head off for convict Marion Barry, it is that Barry said he wouldn't appear on the show unless he was given 200 tickets, with which he proceeded to pack the house with his loyal supporters. But to millions of viewers, it appeared that an objective studio audience was so moved by the mayor's eloquence that it repeatedly burst into wild applause. Phil Donahue should be ashamed of himself for not disclosing the truth about the 200 tickets frequently during the airing of the show. . . .

As one who has repeatedly criticized *The Washington Post* for backing Marion Barry three times in local mayoral elections, I must congratulate Meg Greenfield and Don and Katharine Graham and welcome them into the camp of redeemed sinners for their endorsement of Sharon Pratt Dixon, which came at just the right time and was probably decisive in her primary victory. My one worry about Dixon is that she is so attractive to the media that she is in danger of becoming a star who will be invited to so many parties and conferences and conventions that she will not have time to govern the city. . . .

Another publication we have beaten up on a good deal lately is *Money* magazine. But it too may be on the road to redemption. Its 1990 *Money Extra* issue contains a tough attack on the greed of American physicians and what they are doing to escalate the cost of medical care. It points out that physicians' fees in the United States are 133 percent higher than in Canada. . . .

The good news is that federal regulators are suing the fancy law firms that helped the crooked savings and loans get away with their misdeeds. The bad news is that the regulators are hiring some of the same firms to do the suing. You don't have to know much about the high art of running the meter to know that these firms are going to cost the government a sizable bundle. Why not hire instead, as short-term government employees, bright, young lawyers in the $50,000 to $100,000 annual salary range and let them make their reputations by beating the bigshots? . . .

Jay Rockefeller was the first investor in this magazine. His reward has been never to have a kind word said about him in its pages. I'm going to violate this long tradition by praising his

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recent stand in favor of raising the top income tax rate to 33 percent and levying a 10 percent surcharge on annual incomes over $1 million. As he told Jack Deutsch of *The Charleston Daily Mail*: "People of my income level have gotten tax breaks they don't deserve throughout the eighties." Amen. . . .

To get the license that permits you to drive your car, you have to demonstrate your competence by passing a road test, during which you actually operate the vehicle. Airplane pilots have to pass a similar test. But what about merchant mariners who operate giant ships like the *Exxon Valdez*? Neither the master nor the helmsman, according to F. Eugene Guest of Marine Safety International, have to demonstrate their competence. They merely pass a written test and present evidence of experience, which could have consisted of one barely avoided disaster after another. . . .

One reason primaries tended to be a good deal more corrupt than general elections in the West Virginia of my youth was that the precinct officials from one party would permit the official from the other party to enter the booth with a voter, so that the faction of each party that controlled the selection of precinct poll clerks was likely to emerge victorious in close elections. I had assumed this practice had long gone the way of other colorful customs of the American political past that have fallen victim to reformers. But I have learned through a story by Ken Mingis in *The Providence Journal* that in Rhode Island, not only can the officials still enter the booths, even the candidates can. If the voter says he is blind, otherwise handicapped, or illiterate, he can take anyone into the booth he wants except his employer or someone from his union. This may help explain why Vincent A. "Buddy" Cianci Jr., a convicted felon, was elected mayor of Providence in November. . . .

Albert Gore, who recently led the fight to protect the spotted owl, is the same senator who 12 years ago led the fight *against* protecting the snail darter. Could this inconsistency have anything to do, as an editorial in *The Washington Times* suspects, with the fact that the spotted owl lives in Oregon while the snail darter was back home in Tennessee and if protected might have halted construction of a dam much wanted by Gore's constituents? . . .

A cynical deal between House Republicans and Democrats may have defeated at least one challenger for a congressional seat in the November election. Democrat David Worley lost to the incumbent Republican Newt Gingrich. Worley was given only a token $5,000 by the Democratic Congressional Campaign Committee because he criticized Gingrich for having supported the congressional pay raise. This was the no-no that House leaders had agreed to a year earlier: No candidate would be financed by either party if he or she criticized the pay raise. . . .

Guess where the Socialist International, which represents 91 socialist parties and organizations around the world, held its first meeting in the United States in this century? Why at the Waldorf Astoria, of course! According to Jane Mayer of *The Wall Street Journal*, the French, Italian, and Spanish delegations occupied suites priced at $700 a night. . . .

Remember those Massachusetts judges who were taking off for the day around noon? That, you must realize, was on working days. These same judges get two and a half months completely off each year, not including sick time. "On top of six weeks' vacation and a week of personal time off," reports *The Boston Globe*, the judges get three weeks of education leave.

As veteran readers of *The Washington Monthly* know, that "education" time is devoted to con games politely known as continuing legal education seminars, which are invariably held in such centers of scholarship as Acapulco, Honolulu, and San Juan.

Meanwhile, the United States Supreme Court, which has long taken the summer off, is now revealing that the justices will also take off from December 3 to January 6. Remember how Warren Burger used to moan about the overworked judiciary? The fact is that there are not enough cases to fill the days the Court usually schedules for argument. As Chief Justice Rehnquist remarked to Ruth Marcus of *The Washington Post*: "Well, the emperor has no clothes, I guess, and there's no way of concealing it." . . .

Some measure of where the spirit of service stands in American society today is provided by the news that only 10,000 people applied for the Peace Corps in the past year, one-fifth the number who applied as national idealism peaked in 1964, the year after Kennedy's death. . . .

If you have ever worked for the federal government and therefore know what the job ratings mean, you have to be frightened to learn that as of January, GS-15s will be paid as much as $80,138. Some of them do valuable work, a few even deserve to be paid more, but many jobs at the GS-15 level have responsibilities that, in the words of our contributing editor and

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veteran civil servant, Leonard Reed, are somewhat less demanding than those of the average Safeway manager.

Another way the failure to discriminate between the deserving and the undeserving inflates the federal personnel budget is through a new law that will increase the pay of federal employees in high-cost-of-living cities but, as we predicted, will not lower it in the many places where present federal salaries are still generous compared to the local scale. . . .

If you doubt that this magazine's concern with the competence of public employees is one you should share, consider two recent events:

The captain of a California fire department was unable to put out a fire he himself had started by burning brush outside his house. The fire ultimately cost $500,000 to extinguish.

Back in Washington, D.C., at the Pentagon, an Army medic whose job was to give emergency medical aid managed to electrocute himself while playing with a defibrilator. . . .

The *Washingtonian* has run another story, this by Rudy Maxa in its November issue, advocating Cheap Chic and praising David Souter's modest credit-cardless lifestyle. This is very courageous for a city magazine heavily dependent on ads from the purveyors of luxury goods. . . .

If you read our article in last month's issue on real estate agents, you know that the National Association of Realtors is not to be confused with the Communion of Saints, and you will not be comforted to learn that for this year's election, it spent more than $100,000 on each of five senatorial candidates and nearly that much on four House incumbents running for reelection. One has to wonder what those fellows have done or are expected to do to justify such largess. . . .

Jonathan Alter, *Newsweek*'s media critic, recently wrote about a heartening development in our trade: the critical examination newspapers and television stations were making of televised political commercials this fall. These 30-second spots that can be so devastating—remember Willie Horton—need to be exposed. I hope this will prove to be a permanent role for the media, not just a 1990 fad. . . .

You have to admire the dedication with which Johnny Mann, the sheriff of Lee County, Kentucky, has persisted in carrying out his duties in the face of obstacles that would surely daunt most of us. Mann was one of four eastern Kentucky sheriffs arrested in an FBI sting operation and charged with accepting a total of $85,000 in payoffs from drug gangs. He has been denied bail because federal agents allege that he has threatened to kill witnesses who might testify against him. But he has carried on, calling his office once or twice a day from his cell, making sure to take care of essential business such as personnel decisions. "Earlier this week," for example, according to a report in the October 18 *Lexington Herald-Leader*, "he replaced a woman office employee with his wife.". . .

Many incumbent congressmen who don't face a serious challenge in the next election nevertheless raise huge campaign chests. What do they do with the money? The *Los Angeles Times* has looked into the matter and reports that those incumbents are using their campaign contributions as "giant slush funds—with the money going for . . . such personal indulgences as expensive cars, real estate, tuxedos, club memberships, and even personal travel."

Rep. C. W. Young, for example, used his campaign funds to buy a $30,000 Lincoln. Rep. Bill Green spent $12,500 on tickets to Broadway shows. Rep. John Murtha spent more than $6,600 on professional football tickets. And Rep. Carroll Hubbard Jr. used $3,000 in campaign funds to pay for a portrait of his father. . . .

In each of three issues of *The Washington Monthly* that have come out since Iraq invaded Kuwait, we have argued against the involvement of American ground forces in the Gulf. Not only is Bush unconvinced by our case, but in November he announced a drastic increase in the size of these forces. It seems obvious that he hopes he can bluff Saddam Hussein into withdrawing from Kuwait. The bluff could work. But if it doesn't, the president should not feel compelled to get into a ground war. The danger is that Bush will see himself trapped by the land forces he is deploying, that he will feel he has to use them soon or lose the chance to use them because of disagreements with our allies, antiwar protests back home, and declining morale among the troops themselves. Our legitimate aims can be attained by the trade embargo backed up by the naval blockade. No objective the administration has stated for its Iraq policy, least of all restoring the emir to Kuwait, is worth the thousands of casualties a ground war would cause. If you feel the same way, please write the president, your congressman, and your senators now. I'm terribly afraid that time is growing short. . . .

—*Charles Peters*

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How They Missed That Story

The first casualty of Desert Shield was a skeptical press

by James Bennet

It's hard to recall now that in the first days after Iraq invaded Kuwait, sending any American troops—much less 430,000 of them—to the Middle East never seemed inevitable. In fact, it didn't even seem probable, since many lawmakers didn't like the idea. *The New York Times* reported on August 3 that "Senator Sam Nunn . . . expressed the prevailing view on Capitol Hill when he said that the proper response should be economic and political pressure and not military action." When reports did discuss the possibility of military action, the emphasis was always on air power, as in *The Washington Post* the following day: "'Carpet bombing is the phrase being used,' said one Pentagon official familiar with the planning. . . . Military leaders have recommended against sending U.S. ground forces to the Mideast." Why? Because "any plan for using American troops on the ground in Saudi Arabia, Kuwait or Iraq chills military experts," explained a *Los Angeles Times* story on August 5. "I think an economic boycott can be effective," said Caspar Weinberger on "Nightline" the next day. "I think it would have to be backed up by a naval blockade to be sure that that was working."

Even in the early hours of the deployment, there was more than a whiff of potential disagreement over the type of force we should apply. *The New York Times* again called on Nunn: "'My hope is that we'll continue to confine our role to protecting air bases' and perhaps using American troops to mine highways from Kuwait on which Iraq might send tanks into Saudi Arabia, he said." But by the following day (same paper) "congressional opinion swung solidly behind the president's action," and none of the three national dailies mentioned above was able, evidently, to find someone to criticize either the president's goals or the means he'd chosen to achieve them—although 40 percent of Americans disapproved of the deployment. Just two days before, the *Los Angeles Times* had explained that "Bush and his advisers are wary of any military option involving a confrontation with the Iraqi armed forces because they realize that it would run the risk of an enormous loss of life, not only of U.S. military personnel but also of U.S. civilians in the region." But now, and for the next crucial weeks of the buildup, the notion of "an enormous loss of life" almost vanished from that paper's pages.

You don't have to oppose the American troop deployment in the Middle East to worry about the singular absence of public debate—in the House and Senate, in the major papers, on TV—during those first few weeks. You just have to believe that good debate makes good policy. The initial deployment and its subsequent spectacular growth came as surprises: We progressed almost magically from a projected ceiling of 50,000 troops to nine times that number. Likewise, we faded from "The mission of our troops is wholly defensive" (George Bush's words) into trying "to ensure that the coalition has an adequate offensive military option" (George Bush's words). Meanwhile, the national dailies and "Nightline" provided blow-by-blow accounts and occasionally ran some tougher stories analyzing U.S. interests in the Persian Gulf and the president's goals—

James Bennet is an editor of The Washington Monthly. *Research assistance was provided by Andrew Bates, Joshua Ray Levin, Patrick O'Rourke, Pam Schauble, and Craig Weicker.*

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whether we were preparing to fight only for oil, whether it was feasible to push for Saddam Hussein's ouster. On the op-ed pages, there was some grumbling back and forth as to whether those goals were worth chasing. But there was almost no discussion in any of these influential, supposedly adversarial sources of news about the *means* the president had chosen and what human cost they'd entail.

For example, the *Post* editorialized in early September that all those American troops have to be in Saudi Arabia because "the circumstances in Iraq's case would make complaisance there intolerably costly. Suppose that the United States and the others had not sent troops and ships or shut off Iraq's trade." OK, let's suppose. If the *Post* had bothered to distinguish among those muddled alternatives, it might have found that they don't have to add up to "complaisance." Imagine that the U.S. had cut off Iraq's trade and, to contain Saddam (we were originally aiming for "wholly defensive" measures, remember), had sent ships and a) sent only a small "tripwire" force to Saudi Arabia, as other nations have done, or b) sent planes to Saudi Arabia, and only enough troops to protect them, since that nation has poor defenses. Or imagine that the U.S. had sent "no troops," but had relied on the naval embargo and on air power based on carriers and in Turkey, which has strong defenses of its own. It's easy if you try. For some reason, our national dailies and "Nightline" never did.

More typical were pieces that suggested their writers had lost a little perspective, like this August 20 "news analysis" by R.W. Apple: "There is still one superpower in the world, and it is the United States. . . . In news bureaus and Pentagon offices, dining rooms and lobbyists' hangouts, the fever is back—the heavy speculation, the gung-ho, here's-where-it's-happening spirit, that marks the city when it grapples with great events."

When Bush announced in early November that he was sending another 200,000 troops to the Gulf, the validity of the deployment—instead of the deployment itself—abruptly became news. Why were we risking so many lives? How could Bush be talking about taking the offensive? Congressmen were worried, columnists troubled, and reporters finally interested. But by then, we already had a quarter-million troops practicing offensive maneuvers in the desert who, according to the debate we were suddenly having, shouldn't have been there at all. Doing what many people now recognized was the right thing—reneging on Bush's new commitment and withdrawing some of the already deployed troops—would send dangerous signals to Saddam. As Al Haig, Henry Kissinger, and others pointed out, the horses had fled months before the press got excited about the idea of shutting the stable doors. Judging by a close reading of their coverage in the crucial first six weeks of the crisis, reporters for the *Los Angeles Times*, *The New York Times*, *The Washington Post*, and "Nightline" never asked the questions— Are any troops needed? If so, how many are enough? How many dead would be too many?—that would have jump-started the national discussion that we at last began in November, maybe too late.

Of the three dailies, only one—the *Los Angeles Times*—published an editorial in the first six weeks that evaluated the size of the deployment. It's a doozy. "An anonymous Defense Department source is widely quoted as saying that contingency plans for the Persian Gulf 'could result in the insertion of up to 200,000 to 250,000 [U.S.] ground forces before it's all done,'" began the editorial on August 11. "These are sobering, not to say mind-boggling, thoughts. Before they gain too much currency, it would be a good idea to freeze the frame and take a clear and realistic look at just what's being talked about." Ah, the omniscient voice of editorial reason, poised at last to tell it like it is. Read on:

> Predictions about world events are best avoided, especially in an area as volatile as the Gulf, but here's one anyway: Hundreds of thousands of American fighting men are not going to be put into the ferociously hostile environment of Saudi Arabia. That won't happen because (1) Congress would refuse to approve such a commitment; (2) the American people wouldn't support it; (3) the Saudis would not invite or tolerate it; (4) probably no senior military official would propose it, and finally, (5) President Bush, if for no other reason than that he faces reelection in 1992, would not request it.

Well. This is, of course, wrong. But that's not why it's so interesting. After all, the editorial writers weren't the only ones being suckered by the Bush ad-

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ministration, which planned to send a massive force from the very beginning of the deployment, according to reports published in *The New York Times* and the *Post* in late August—none of which noted that the press had been duped. On August 10 in *The New York Times*, R.W. Apple wrote of the estimate of 250,000 troops, "One of the handful of senior policy planners in the administration described that figure as preposterous." On the same day in the same paper, Michael Gordon pooh-poohed the idea of even 200,000. (The failure to take a more critical look at these numbers is surprising given that many of the same reporters had bought the fallacious "carpet-bombing" line at the beginning of the crisis. Gordon seemed to be expressing some frustration when he wrote the next day, after the official deployment figure had doubled almost overnight to 100,000: "The increased figure seemed less a reflection of a change in the Administration's plans, or its evaluation of the Iraqi threat, than a willingness among officials to discuss the size of the force with greater candor.")

The reason the editorial is interesting is that it hinted rather broadly that the *Los Angeles Times* thought a massive deployment of ground forces would be a lousy idea. In fact, it went on to urge, "Bush and his advisers ought to be making clear that the Arabian oil fields can be defended without involving American troops in an open-ended land war in the Persian Gulf. *The key to defending Saudi Arabia and nearby smaller states is air and naval power.*" [Italics added.] If Bush doesn't come clean, American support could "fade very quickly under the impact of horror stories suggesting that 250,000 American troops could be sent to fight a long and brutal desert war."

On August 22, the *Los Angeles Times* reported that the deployment "could grow to as many as 150,000 personnel." On September 3, it reported the force could grow to more than 200,000. Those new figures seem sufficient grounds for the editorial board to have revisited its earlier argument, either to announce that it had changed its collective mind or to attack the president's policy and push the air-and-naval power alternative. The *L.A. Times* did neither. No *L.A. Times* reporter wrote a story critiquing the buildup or exploring other options (on the *Times* op-ed page—which did a much better job than the other papers' in presenting a range of views—Edward Luttwak of the Center for Strategic and International Studies twice slammed the Bush approach). The other newspapers didn't pursue that story either. As late as September 12, "Nightline" managed to do an entire program dedicated to "A Critical Look at U.S. Persian Gulf Policy" that focused on the boycott and never critiqued the troop deployment.

In early September, the *Los Angeles Times* praised Bush for his "reasonableness" and "willingness to listen," and for "the George Bush style—on the slow side, on the cautious side, on the consensus side, on the pragmatic side." This about a man whose staff had misled the paper's reporters; who had made a monumental decision affecting the nation's future based on the advice of a handful of advisers; and who was pursuing a policy that the paper had called a "horror." Talk about appeasement.

Arabian Nightlines

On November 8, after the elections and while Congress was in recess, the consensus-building, slow and cautious Bush made the announcement that he was adding another 200,000 troops to beef up our offensive capability in the Middle East. That evening, Ted Koppel expressed some confusion: "I have a sense that we have taken sort of a major step forward from being . . . in a defensive posture to avoid an invasion of Saudi Arabia, to moving into a totally different kind of posture."

This shouldn't have come as such a shock, since for more than two months the nation's top dailies and "Nightline" had been running news that suggested American forces were preparing to attack, not only defend. Just as "Nightline" and the three papers never pointed out that the official size of the deployment was steadily ratcheting upward, none of them firmly came to grips with the fact that the initial line that the U.S. had deployed its forces for "wholly defensive" purposes had been crumbling from the get-go. *The New York Times*, at least, asserted in an editorial that "unilateral American military action may ultimately prove necessary." But in the first month and a half of the crisis, *The Washington Post* never went beyond endorsing defensive measures, and the *Los Angeles Times* declared, "Senator Sam Nunn . . . puts the issue clearly, leanly, and correctly: 'Our military mission is to defend Saudi Arabia.' Let's keep that in mind." Yet these papers never sounded the alarm as the true goals of the deployment became obvious.

There were clues everywhere that the mission was growing far beyond mere defense—clues like "In the early morning hours . . . troops practice offensive maneuvers" (*The Washington Post,* September 6); "Hostilities could also begin from the U.S. side" *(Los Angeles Times*, August 25); "The question here has shifted from how well the United States and its allies would defend the Saudi kingdom to how well Washington and its allies might exercise an 'offensive option' to push the Iraqis out of Kuwait" (*The New York Times*, September 16); "The only thing keeping that [offensive readiness] from happening is the arrival of

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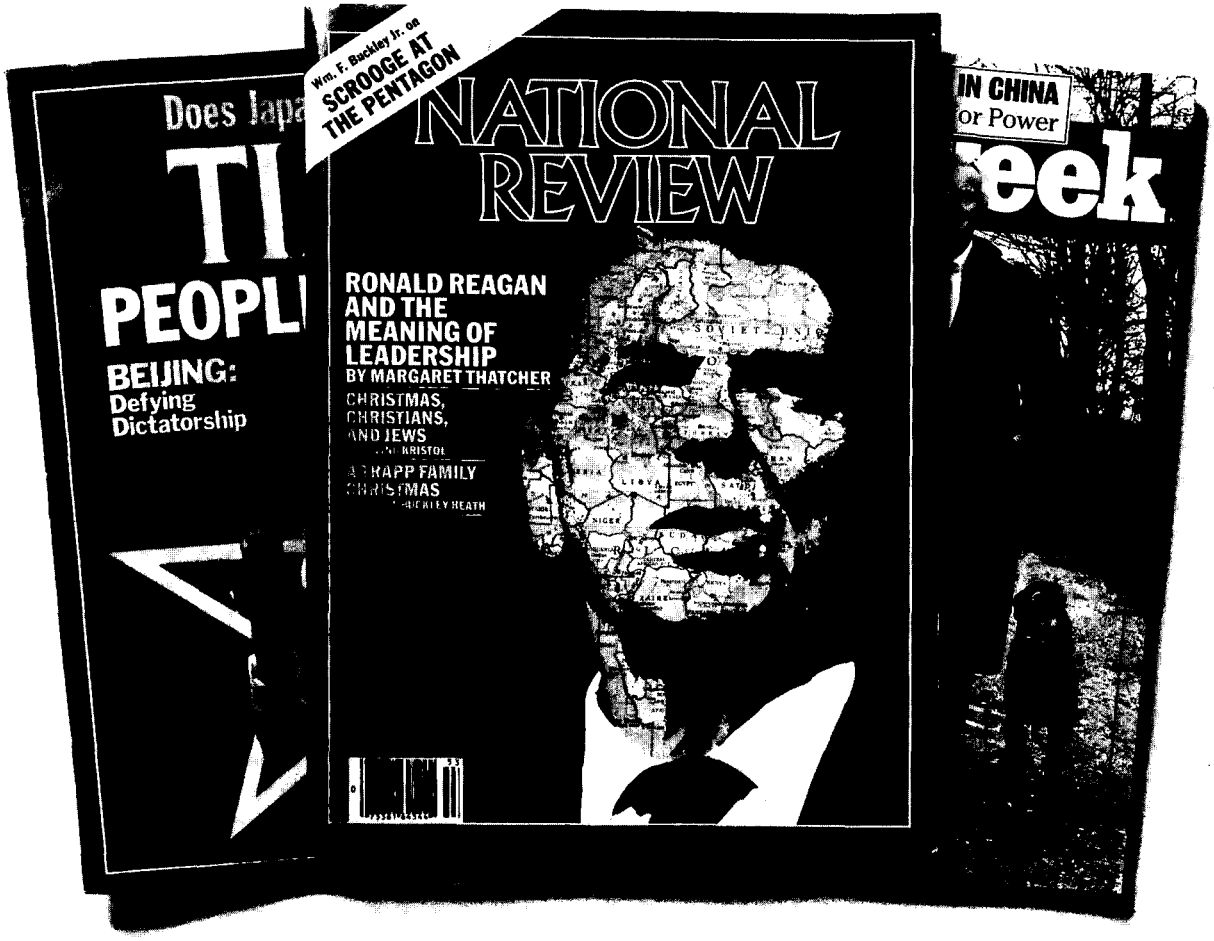

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big U.S. equipment, particularly the M-1 tanks which are aboard these fast sealift ships and begin arriving next week" ("Nightline," August 24). I could find no article in any of the newspapers and no discussion on "Nightline" that pulled the pieces together—the excessive numbers of troops, the offensive maneuvers the troops were practicing—into a description of what the administration was really up to.

On August 29 on "Nightline," Dick Cheney told Sam Donaldson, "Well, again we'll come back to the proposition that our dispositions in the region are defensive. We're there to deter and to defend. . . . but we're not there in an offensive capacity, we're not there threatening Iraq." Those M-1 tanks slipped Donaldson's mind, evidently, since he didn't pursue the issue. Koppel's astonishment on November 8 was no doubt feigned, but he was making an important point: No one (including Koppel) had been telling the average American that it was part of U.S. policy to prepare to launch an attack. That was a strategy, by the way, that a majority of Americans opposed.

The closest anyone came, in the words of the *Los Angeles Times* editorial, to freezing the frame and taking a clear and realistic look at just what was going on was Michael Wines of *The New York Times*, who kicked off an August 19 story with this promising lead: "In only 15 days, while Congress was scattered on summer recess and much of official Washington was on vacation, senior Bush administration officials have committed the United States to its broadest and most hazardous overseas military venture since the Vietnam war." Wines went on to point out that the administration had "deliberately kept vague" the length of the military commitment as well as the projected size of the force. He quoted Senator John McCain opposing the idea of a ground war, thereby—virtually for the first time among the three publications—introducing the concept of death into an analysis of the deployment: "'We cannot even contemplate, in my view, trading American blood for Iraqi blood.'" And Wines quoted a dazed-sounding Senator Joe Biden on the dimensions of the force, saying he was "struck by the size of this. This is a big, big deal. . . . I never contemplated talk of 250,000 troops." There should be, Biden said, "not only some consultation, but some extensive debate."

But Wines came to the conclusion that since massive deployment was inevitable, we might as well lie back and enjoy it: "In the atmosphere of crisis, there is no evidence that extensive debate or consultations would have changed the American commitment in any way." He pointed out that "the pivotal decisions have been made by Mr. Bush and a handful of his top advisers," but offered this astonishing reassurance to those, like Biden, who worried about the absence of public discussion: "As the Vietnam experience proved, public debate and congressional action do not guarantee wise policymaking, several Bush administration officials and former government officials from the 1960s said in interviews."

When the United States first sent ground forces to Vietnam in March 1965, "You had overwhelming support in the public and the press," says Stanley Karnow, author of *Vietnam: A History*. "It's very hard to think of anyone—besides Izzy Stone—who objected." At the crucial moment in 1965, there was almost no dissent within the administration (Maxwell Taylor was the exception). Nearly 80 percent of Americans favored the move—partly because they didn't understand what it would entail, since Lyndon Johnson's spokesmen were pursuing "a policy of minimum candor." Sound familiar? The questions—What are we fighting for?—and the debate started when Americans began dying. If you believe that the United States should have fought the Vietnam war indefinitely, then you might consider that debate to have been unwise. Otherwise, you might wish it had started a little sooner.

Bushkrieg

As the Vietnam war progressed, Karnow argues, the press tended to trail public opinion, not the reverse. Johnson, watching Walter Cronkite report on the Tet Offensive, declared Cronkite would turn public support against the war. But by Tet, more Americans already were against the war than for it. Somehow, that news hadn't percolated up: "It was kind of like a wind tunnel, you know, with the press and the politicians talking to each other and not listening to anyone else," says Karnow. "Sort of like today, I guess."

Because no one pieced together the president's actual policy toward Iraq, throughout the first couple of weeks of the crisis the nation's leading newspapers couldn't help but overstate American support for the deployment. As the *Los Angeles Times* editorial quoted at length above makes clear, even Americans who closely followed the news (in fact, especially them, according to the polls) were tripping over each other to line up in support of a policy that was in fact not the one we were practicing. The pollsters were asking, as in a CBS News survey: "Do you approve of George Bush's decision to send U.S. troops to Saudi Arabia?" They weren't asking whether Americans approved of sending *250,000 of them* to Saudi Arabia. Robert Shogan of the *Los Angeles Times* was one of very few journalists to make this elementary distinction. On August 19, he wrote, "Bush enjoys overwhelming public support for his decision to send

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U.S. troops . . . but he does not have a blank check." ("Nightline" for the most part didn't concern itself with public opinion, although Rep. Les Aspin did point out on the August 17 broadcast that "there is not, at this point, public support for using our military to invade Kuwait or to invade Iraq.")

Even taking the early poll results at face value, journalists—not just editorial writers or the flocks of hawkish columnists—repeatedly overstated the results. As late as August 24, by which time the size of the deployment and its offensive potential were becoming clear, E.J. Dionne led a story in the *Post* with: "After several weeks of nearly unanimous public support for President Bush's moves in the Middle East. . . . " The paper's own poll of August 10 had reported that, while most Americans support the president's "initial response," they "view the prospect of U.S. military engagement in the Middle East with a mix of skepticism, frustration, confusion, and outright fear." Sixty-eight percent said that the United States should not go on the offensive to liberate Kuwait. A *New York Times* poll published August 12 found that 40 percent of Americans thought Bush was "too quick to send troops." In another *Times* poll conducted over a week later, that 40 percent figure still held. By most standards, 60 percent doesn't qualify as "nearly unanimous support."

What Dionne probably meant is that support seemed unanimous among "opinion leaders"—that is, the people top journalists interview. His story featured those opinion leaders—what he called "small minorities on the left and the right"—who were "beginning" to dissent from the president's policy: Patrick Buchanan, Thomas Bethell, Ramsey Clark (all of whom dissented from the start). As another example, consider a story by Andrew Malcolm that ran in *The New York Times* on August 21. The teaser on the front page read, in part, "Little Dissent in U.S.: If war is in the offing, few Americans are voicing opposition." The headline declared: "FEW FROM LEFT OR RIGHT PROTEST BUSH'S BIG STICK." "So far," wrote Malcolm, "the critics of American military involvement in Saudi Arabia have been few and soft-spoken." It quickly becomes obvious that the piece is not about "Americans" in general but about a certain type of American: opinion leaders, like Buchanan, Walter Mondale, Coretta Scott King, William Sloane Coffin Jr. And in fact in the course of the story these people voice quite a bit of dissent, arguing in general for deterrence and a negotiated settlement—a policy drastically different from the one Bush was implementing.

It's at the bottom of the story, however, that we discover what "little dissent" really means, when Malcolm refers to the *Times* poll and dials up a couple of Americans with unfamiliar names: "40 percent [of those polled] said the administration was too quick to send in the military and only 48 percent felt the government had tried hard enough to reach a diplomatic solution. . . . Deborah Huber, a 21-year-old housewife in Wichita, Kansas, was among those in the poll with doubts. 'This is really hitting home for us,' she said in a subsequent interview. 'My husband's brother, David, is being shipped over on the 24th this month.'"

When it comes to matters of war and peace, the troubled Mrs. Huber is what *The New York Times* would call "unsophisticated." In an August 12 editorial, the *Times* assessed the president's efforts to rally support to his cause. Though Bush had demonstrated he was "a superb crisis manager," as a communicator he was stumbling: "A *New York Times* poll shows that while most Americans endorse the president's action, half do not comprehend the dangers. . . . Why must the U.S. again bear a disproportionate share of the burden of defending oil . . . ?" The *Times* understands, but too many Americans don't: "Sophisticated citizens know how much the world depends on Saudi oil. It's up to the occupant of the bully pulpit to educate ordinary citizens, including parents of those G.I.'s, to these harsh realities." In other words, the views of the Mrs. Hubers are supposed to be changed, not taken into account.

Casual ties

That editorial expresses an attitude that is certainly one source of the newspapers' repeated failure to give serious consideration to the opinions of the silenced 40 percent. The attitude is summed up by the opposition of "sophisticated citizens" and "ordinary citizens, including parents of those G.I.'s." Editorial writers and reporters and the talking heads they interview are too sophisticated to have children in danger of being gassed, shot, or blown up. Although by November others were waking up to that issue, in the first six weeks of the deployment, of all the columnists—hawks and doves—venting their opinions on the crisis day after day on the national op-ed pages, only one—Mark Shields—raised it.

One day in August, the celebrated op-ed by Alex Molnar, a Marine's father who didn't think the president's goals in the Gulf were worth dying for, appeared shoulder-to-shoulder with, of all columns, one by A.M. Rosenthal, a leading hawk. It's interesting to compare their tones. Molnar: "I kissed my son goodbye today. . . . You have ordered him to Saudi Arabia." Rosenthal: "The likelihood is that Americans will die in the Middle East. . . . In decency to them and the people of the Middle East and in pressing self-interest, the United States must now think

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through and make clear two connected sets of war goals. . . . Saddam may still be able to kill thousands." If Molnar's tone struck many as melodramatic (and letters to the editor suggest that it did), Rosenthal's struck at least me as astonishingly breezy. The op-ed hawks purported to make their arguments out of common sense. The party line, as Rosenthal expressed it, was that "if Saddam is allowed to keep the missiles, poison chemicals, and nuclear potential . . . then one day he will murder far more people." The math is compelling, but it totally ignores—as almost all these columnists did—the possibility that other means than a ground war might accomplish the same ends. Without the pressure of knowing that your son or your brother-in-law could be among the "thousands," it becomes easier to overlook the "unsophisticated" question: "Couldn't there be a better way to do this?"

How else can you explain the total lack of interest the newspapers and "Nightline" expressed in the number of soldiers who might die? During the first weeks of the crisis, reporters occasionally referred to the prospective conflict as "bloody" or noted that "thousands" might be killed, but no one explored the question of what the war would actually look like. There were some clues, however. A doctor called up from the reserves told the *Los Angeles Times*, "There may never be another opportunity for me to see trauma cases like this." Without comment on page 22, *The Washington Post* reported this chilling detail: "The department [of Veterans Affairs] has notified the Pentagon that it could make 9,200 [hospital] beds available within 24 hours, 18,321 within 72 hours and 25,000 within a month."

When 13 American servicemen died in a plane crash in West Germany, the *Post* headline read: "CRASH OF GULF-BOUND JET REVIVES GERMAN FEARS." The story ran on p. 33. Later, the *Post* did a longer piece on the families of the dead, offering this observation, "Treatment of the crash has been somewhat muted, partly because of uncertainty about whether the 13 victims will become only an early and forgotten footnote in a much larger conflagration and perhaps partly because they did not die in the deserts of the Mideast." *The New York Times* ran about two inches of an inaccurate AP story: "10 Die in Transport Jet Crash."

On September 5, Joshua Epstein, a Brookings Institution military analyst, held a press conference at which he presented a model that projected the number of divisions the United States would lose if it attacked Iraq. The *Los Angeles Times* wrote it up in a short piece at the foot of page six. The reporter asked government analysts to translate the division numbers into human terms: "They said Epstein's model implies that American and Saudi forces would suffer casualties of 32,000 to 48,000 troops." Hmmm . . . 48,000 . . . hey—that's close to one-quarter as many as we suffered in the whole Vietnam war! And Epstein predicted that a Mideast war would be over in *one month*. Seem like important news? Well, you probably never heard about it, because nobody else touched the story.

Also on September 5, CNN's "Crossfire" featured Richard Lugar and Les Aspin. Michael Kinsley pressed both guests to answer the question: "Is it worth 20,000 to 30,000 American casualties to get Saddam Hussein?" Both men—the chairman of the House Armed Services Committee and the ranking Republican on the Senate Foreign Relations Committee—said yes. Just for the record, here was Lugar's justification: "Finally we will come down to the point that if he exists and we're left out there in Saudi Arabia with our forces hunkered down, forever monitoring the situation, the casualties over the course of time will be greater or the loss of our national prestige and the whole world order will collapse in the process."

No newspaper or TV show picked up the story.

According to John Mueller, author of *War, Presidents and Public Opinion*, during the Korean and Vietnam wars, as casualties climbed from 100 to 1,000, support for the war dropped by 15 percentage points; as casualties rose from 1,000 to 10,000, support decreased by another 15 points. What would happen if U.S. forces suffered 20,000 casualties in the Middle East in a month-long war? "That would be catastrophic," he says. "That would be vastly more than were suffered in Korea in the first year. . . . I can even imagine impeachment." Unfortunately, like most journalists, pollsters haven't asked questions like, "Is it worth 20,000 to 30,000 casualties to get Saddam Hussein?"

Banalyses

The reporters who write "news analyses"—those who are supposed to bring a knowledge of history and a sense of proportion to bear on the news—are the ones who most let their readers down in the early weeks of the crisis. Generally based in Washington, these reporters tend to be those called on by the television talk shows to analyze events. Without exception in the first weeks, their analyses focused on the politics of the deployment and the view from D.C.: Could any cracks form in the president's domestic or international support? Does Scowcroft or Baker have the president's ear? What are the scenarios the military planners and armchair analysts think might be played out? Perhaps because these reporters don't

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have sand under their fingernails and some sense for which machines work, you never found yourself reading an authoritative analysis of the wisdom of the administration's *means*.

"Nightline" lagged far behind the print journals in this department. While the U.S. was in the first stages of building up its forces, ABC deployed Sam Donaldson to the Gulf, from where he was asked by the show's host, Jack Smith, if Iraqis really believed they could outfight Americans. "It's bluster, Jack," declared Donaldson. "The United States conventional forces are such that once they are brought to bear in this area, all of them—the sea power that we are amassing, the land power—B-52s, as you know, can come from Diego Garcia and elsewhere—we could, with conventional forces, level Iraq. I think there's no question about that."

The newspapers were a bit more thorough. At times, they served up analytical pieces on the president's goals like the ones Thomas Friedman of *The New York Times* produced in the early days of the crisis that aggressively compared the administration's rhetoric with our real, historical interests in the region. But more typical were pieces that suggested that the photos of aircraft carriers and tanks and the president's angry rhetoric had caused their writers to lose a little perspective, like this chest-thumping, navel-gazing August 20 "news analysis" by R.W. Apple: "The obituaries were a bit premature. There is still one superpower in the world, and it is the United States. . . . There is a rush of excitement in the air here. In news bureaus and Pentagon offices, dining rooms and lobbyists' hangouts, the fever is back—the heavy speculation, the avid gossip, the gung-ho, here's-where-it's-happening spirit, that marks the city when it grapples with great events." Or when it grapples with itself.

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Koppeling out

Aside from journalists' lack of personal risk in a potential conflict, there are undoubtedly a number of reasons why stories appraising the size and strategy of the deployment didn't get written. For one thing, daily journalists rely on politicians to criticize other politicians' policies, and few in Congress had the guts to do that. For another, journalists can be patriots, too, and may have felt a duty to support the president's policy (whatever it was). On "Nightline," Koppel and Barbara Walters invoked the administrative "we" in interviewing the Iraqi ambassador, and the *Los Angeles Times* editorialized on August 27 that it would be "bad policy" for Congress and the White House to start "quarreling over U.S. policy in the Middle East." Furthermore, criticizing the deployment could put you at some risk, since charges of "dual loyalty" (by Richard Cohen), "second guessing . . . to encourage Saddam" (by Jim Hoagland), "anti-Semitism" (Rosenthal), being "for Saddam" (William Safire), and "appeasement" (just about everyone) were flying thick and fast. But whatever the reason, the "adversarial" press spawned by Vietnam let us down. The president's policy, right or wrong, left plenty of room for debate, and that room simply wasn't filled. When politicians close ranks behind a military action, journalists must have the intellectual independence and imagination to supply the critical counterweight on their own. If not, Americans will continue, over and over again, to find themselves crying over spilt blood.

On "Nightline" on November 8, Koppel discussed with his old mentor, Henry Kissinger, Bush's decision to double the size of the American forces in Saudi Arabia. After fielding several questions about the wisdom of the government's action, Kissinger grumpily observed, "America seems to specialize into putting 300,000 or more troops somewhere and afterwards starting a debate how important that is."

Koppel shot back: "Well, that's because there was never any opportunity to have a debate beforehand."

Later, Kissinger backpedaled a bit: "I'm not saying that shouldn't be—no, I'm not saying we shouldn't have a debate, but I'm saying that the debate must take into account what has already happened."

Koppel: "But what has already happened has happened without the benefit of the debate, that's precisely the point."

And whose fault, Ted, is that? □

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WHO'S WHO

The fear that **George Bush** will get the country into war in the Gulf has risen sharply among those who are close observers of the president. Headlines such as "Bush Wavers" were so common over October budget stories that they were almost certain to activate, the observers say, Bush's most severe neurosis—the fear of seeming to be a wimp. It was, they say, **Margaret Thatcher** who, when she and Bush met in Aspen, Colorado, on August 3, managed to activate that fear and reverse the administration's initial disinclination to use military force in the Gulf. . . .

Lynn Martin, whom the White House persuaded to give up her House seat to take on **Paul Simon**, may be rewarded by being appointed to replace **Elizabeth Dole** as secretary of labor. Another job possibility for Martin is the now vacant position of director of the National Republican Institute for International Affairs. . . .

Senator **Alan Cranston** has introduced several bills proposing redesign of coins, one of which passed this year. Hill insiders who have been trying to ascertain the motivation for the senator's numismatic zeal have determined that it is not **Charles Keating** but a female friend of the senator's who is responsible. The bill that passed provides that "the reverse side of the half dollar, quarter dollar, dime coin, five-cent coin, and one-cent coin shall be selected for redesigning." . . .

Rep. **Charles G. Douglas** of New Hampshire has a dealer's license plate on his Mercedes-Benz. **Charlotte Hays** of *The Washington Times* has found the explanation. It seems that **Peter Simmons**, Douglas's chief of staff, owns a Mercedes-Benz dealership and lets the congressman use the car for free, not, of course, as a kickback in return for his salary. Simmons even acts as chauffeur, doing most of the driving for his employer. . . .

Among the multitudes rooting for **Harvey Gantt** on November 6, none were more fervent than the members of the Foreign Service. For years, **Jesse Helms** has tormented them by holding up appointments for foreign service officers whose views displeased him. The latest victims are **John Bushnell** and **George Fleming Jones**, nominees for ambassadorships to Costa Rica and Guyana. . . .

Speaking of ambassadors, **Steven Rhodes** has resigned after serving less than five months as our man in Zimbabwe. The reason is not clear, but a clue is provided by one State Department official who told *The Washington Post*'s **Ann Devroy**: "There was an incident involving drugs. Discussions were held. He is now gone.". . .

John Sununu, who is widely considered to have been one of the villains of the budget negotiations because of his insistence on a capital gains tax cut and no higher taxes for the rich, was, according to our informants, a hero in the losing effort to get a Civil Rights Bill. Along with Senators **Warren Rudman** and **Arlen Specter**, he favored a last-minute attempt to amend the bill to meet the administration's concerns but was outmaneuvered by **Dick Thornburgh**, **C. Boyden Gray**, and **Dan Quayle**'s chief of staff, the conservative ideologue **William Kristol**, who saw making an issue out of affirmative action as more important than getting a civil rights bill enacted. . . .

Another hero, this time in the successful passage of the Clean Air Act, was OMB's **Bob Grady**. . . .

Nixonesque. That's the dark phrase that White House intimates were using to describe morale in early November. The remedy? An earthquake. Top aides hope Bush will boot the irascible Sununu and bring in pollster friend **Robert Teeter.** But Teeter, who "can't manage his way out of a paper bag," according to a friend, would need help from someone who can, perhaps **Craig Fuller**, Bush's chief of staff in the eighties. . . .

Jack Kemp, the renowned back-bencher and HUD secretary, pined for attention during the budget deal with Democrats (remember that?). The football star dispatched aides to tell people (like the press) that Jack threatened to resign over the agreement. . . .

The **Sununu-Darman** circle grew so tight during budget negotiations that even normally jovial White House Press Secretary **Marlin Fitzwater** was angered and **Alixe Glen**, his talented deputy, became disenchanted and went to HHS. . . .

Last spring, **Michael Boskin**, the chairman of the Council of Economic Advisors, grimaced when the government directory, *Congressional Source*, omitted the "Dr." in front of his name. He dispatched a member of the council to complain. . . .

When Bush travels, he takes his custom-made bulletproof limo with him. Except to California. Secret Service officers fret the state has too many loonies who will try to take a shot at the car because it contains larger windows than conventional limos. Instead, they rent bulletproof limos with smaller windows. This is not a joke. . . .

Secretary of State **James Baker**, fearing Gorbachev's imminent demise, is hungry for a quick START treaty. Baker talks about it solely with Geneva negotiator **Richard Burt** and has even cut out confidants **Robert Kimmitt** and **Bob Zoellick**. . . .

In—*Energy*: Assistant Secretary for Defense Programs—**Richard A. Claytor**. *Housing and Urban Development*: Assistant Secretary for Public Affairs—**Mary Shannon Brunette**. *Agencies and Commissions*: Federal Maritime Commission, Chairman—**Christopher L. Koch**. Federal Trade Commission, Member—**Roscoe Burton Starek**. National Science Foundation, Director—**Walter E. Massey**.

Out—*White House*: Consumer Adviser—**Bonnie Guiton**, Director of Media Relations—**Kristin Taylor**. *Interior*: Assistant Secretary for Policy, Budget, and Administration—**Louis Gallegos**. *Labor*: Secretary—**Elizabeth Dole**. *Agencies and Commissions*: Office of National Drug Control Policy, Director—**William J. Bennett**.

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THE MAKING OF THE PRESIDENT 1996

Since his arrival on the national scene in 1988, Vice President Dan Quayle has been a standard target for comedians. The steady barrage of jokes makes us forget that the reality of Quayle is far more laughable than any monologue. Jay Leno or David Letterman would have killed to create the following material, but the Veep did it all by himself.

"At the time, there wasn't this moral ambiguity as far as supporting the war but not being willing to sign up and go there—certainly not in my mind," Quayle said. "What that statement reflected was the political ambiguity of my situation. I had done what I thought was right, what I wanted to do at that particular time, which was to get on with my education, without making any kind of calculated decision about a political career, because I really wasn't set on a political career at that time. I had been more oriented toward law and the newspaper business. I didn't have a burning desire to be president—that developed later. . . .

"If I had in fact known at that time that I really wanted to be president of the United States, then I could have calculated—like I think some of my generation thought about it in college and calculated for that reason—that . . . from a political point of view, it looks better on a resume to have served in Vietnam."

—From *See How They Run*, by Paul Taylor*

*1990 by Paul Taylor. © Alfred A. Knopf Inc.

Quayle received his early campaign training from a professional handler, a media consultant named Don Ringe. He was brought to Ringe's studio in Washington to be drilled in the art of eloquence. The tape of those training sessions was turned over to a transcription service for record keeping, and it is a rare document, revealing not only the unvarnished exchanges between a handler and his subject, worthy of *Pygmalion*, but the tentative efforts of a future vice president to locate his own motivations and beliefs.

The tape begins with a voice exercise: "I'm Dan Quayle. I'm Dan Quayle. I'm Dan Quayle. I am Dan Quayle. The real Dan Quayle. The real Dan Quayle stand up. I'm Dan Quayle. I'm Dan Quayle."

"All right," said Ringe, "and what are you running for? I'm Dan Quayle—and what?"

"I'm Dan Quayle. I'm running for the U.S. Senate."

"Sounds to me like you're not sure."

"Why are we getting into this?" asked Quayle. "Okay," he agreed. "Because I believe in public service. I want to have the opportunity to serve."

"Got you, I've got you, I've got you."

"What?" asked Quayle.

"Relax."

"Oh."

Ringe asked him again "why you're running."

"I think I'm part of that new generation of leadership and I want to be part of that new generation of

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leadership."

"Tell me about, tell me about your past."

Quayle explained that he had been a political science major at DePauw.

"Why?"

"Because I've always had a deep interest in government. . . . And political science was a natural for someone like myself."

"Why? Why was it a natural for somebody like yourself? What, what is your motivation coming from?"

"I think," suggested Quayle, "my mother and father had always talked to me about public service."

"You know, it sounds to me like you're giving a speech. You're not talking to me."

"Oh."

"You should just tell me why it is. Just tell me."

"Okay, just talk to you." Quayle paused and then tried again. "All right. First of all, I've always had a general interest in government. Secondly, I really always wanted to go to law school ever since I was a little kid."

"Why?"

"I've always wanted to have a law background. Thought maybe a lawyer, interested in laws. Laws affect people. And it's a good background for anything, whether you become a full-time lawyer or become a businessman or whether you get into government or whatever you're going to do. I've always wanted to be a lawyer, to have a law background. And political science, political science is the, ah, the best type of major most people say for going into law."

"What was it about people that so intrigued you to want to become involved in policy or government. What is it?"

"If you take the political science background plus going to law school, I wanted it for background for my own information. . . . I would be able to use that background and whatever I decided to do in my career. . . . But I was never a full-time practicing attorney. I left that up to my wife."

"What was it about consumer advocacy that interested you?" asked Ringe, referring to Quayle's first job, in the consumer protection division of the attorney general's office.

"Actually it was a job. It wasn't any special interest in the consumer affairs." Quayle laughed, according to the transcription notes. "I'm sure you don't want . . . "

"Now tell me what was it that turned you on about consumer affairs."

"I needed a paycheck and the attorney general said that I would be the best to go down there because he knew that I was anti-consumer." Quayle laughed again.

"You were anti-consumer?"

"I figured you liked that one anyway," said Quayle, trying to please.

"I'm going to have this tape bronzed," Ringe replied. He asked about details of Quayle's early days. "You said something about having attended all those public schools . . . "

"Because there were no private schools around."

"No," said Ringe, "I meant how many, how come you went to. . . . Why [so] many different [ones]?"

Quayle explained the various moves made by his family while he grew up.

"Tell me about your dad," asked Ringe.

" . . . He's a fine person. Somebody that's been a great influence on me. And, ah. . . . Well, I think that the most, ah, telling thing he said: Don't ever let the guys grind you down. He'd always say: What you're going to have ups and downs in life but there'll be more ups than downs and when you get down just remember there's another day. And I think that was actually his statement to me when we had difficult times. He'd always say: The sun will shine another day."

—From *Pledging Allegiance*, by Sidney Blumenthal*

"He looked different. He looked sort of real."

—A young trick-or-treater's reaction after seeing Quayle at the door of the vice-presidential mansion, as reported in *The Washington Times*

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The Natives are Arrestless

The Justice Department has jurisdiction over Indian reservations, but is letting people get away with murder

by Nicholas Hentoff

On a cold January night in 1984, while Mrs. Aliene Lee and her daughter, Priscilla Lee Yazza, were watching television in Priscilla's trailer in Fort Defiance, on Arizona's Navajo Indian Reservation, the lights went out and the two women were confronted in the darkness by a man with a gun.

After a violent struggle, the gunman dragged Priscilla into her mother's car and drove off, leaving Mrs. Lee for dead on the floor of the trailer with two gunshot wounds to her head and Priscilla's baby crying on a couch nearby. The next morning, Priscilla's naked body was found in a nearby gully. She had been raped repeatedly and shot in the back of the head as she struggled up a roadside embankment.

Mrs. Lee survived the attack and still lives with her husband on the Navajo Reservation. She asserts that crucial evidence was destroyed by incompetent tribal police officers and that a lazy FBI agent, who made no effort to hide his prejudice against Indians, failed to follow up on important leads. Ultimately, the case lapsed into obscurity along with hundreds of other unsolved murders and rapes on the reservation.

Eddie Lee is convinced that if the crime had occurred in Phoenix or Albuquerque the murderer would have been caught within 24 hours. "Just because it's on the reservation it seems like it's all neglected," Mr. Lee said. "And it's been the same way for other people and other investigations. Just because we're Indians they're not getting in here and solving these crimes."

The government's own statistics support Mr. Lee's charges. On reservations in Arizona, Nevada, and Utah, Bureau of Indian Affairs officers investigated 2,456 felony cases in 1986 and the first half of 1987 but arrested only 181 suspects; that's a rate of 7.4 percent. By comparison, 23.6 percent of felony cases elsewhere in Arizona led to arrest. During this period, BIA officers presented 390 cases to the U.S. Attorney, of which 233 were rejected for prosecution. From 1984 through the middle of 1987, there were 974 serious crimes reported on six Montana reservations, but only 87 convictions.

In those rare instances when people who commit crimes on Indian reservations are prosecuted and convicted, the criminals tend to serve much shorter sentences than those convicted in Anglo communities. Although new federal sentencing guidelines may have some effect in the future, recent prosecution statistics from the U.S. Sentencing Commission show that murderers serve about a third as much time for crimes committed on Indian reservations as do those committing the same crime elsewhere. The disparity is even greater for bank robbery, auto theft, and transportation of stolen property.

Statistics compiled by the FBI suggest that this miserable enforcement record contributes to Indians being victims of violent crime almost twice as often as the general public.

Nicholas Hentoff, a criminal defense attorney in Phoenix, Arizona, recently completed a clerkship with a federal judge.

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The murder of Priscilla Yazza is a textbook example of what is wrong with law enforcement on Indian reservations. Investigators from several different agencies—federal and local—showed up. FBI and BIA agents were already in Fort Defiance, investigating a rash of violent assaults and rapes against the nurses at the local hospital, when the call came in about the shooting of Mrs. Lee and the abduction of her daughter. The FBI, BIA, and Navajo Tribal Police all converged on the crime scene. Col. Jonas Hubbard, the Director of the Navajo Department of Public Safety at the time, admits that there was a great deal of confusion. "Nobody took overall responsibility for the investigation," Colonel Hubbard said. "Everybody took it as 'my investigation.'" To compound the confusion, the investigators were indifferent, if not incompetent.

The Anglo file

Mr. Lee, after rushing to the hospital to see his wife, returned to the crime scene with some friends and relatives. They offered to help the police search for Priscilla but were told to go home. Mr. Lee later examined the embankment where Priscilla was shot and believes she escaped as many as five times before being killed. If only he and his friends had been allowed to help in the search that night, he says, the first place they would have looked would have been along the road where Priscilla was taken.

BIA investigators later claimed they combed the area completely, but were unable to track the killer from the place where he abandoned the car. Mr. Lee and his friends did their own investigation and found tracks leading to a nearby hogan. They also found a bloody towel and a piece of the pink shirt Priscilla was wearing that had been overlooked by the initial investigators.

The principal FBI agent assigned to the case was a six-foot-four-inch Anglo with blue eyes and red hair named Charles Moffett. Mr. Lee argues that it would have been better to have had Indian agents investigating the murder on the reservation since it would have been easier for them to collect evidence and get witnesses to talk. "If it's a white man with a red head and blue eyes who looks like a big carrot, he's going to stick out like a sore thumb out here," Mr. Lee said.

Moffett never interviewed Mrs. Lee about the details of the murder. Mrs. Lee didn't meet Moffett until four months after the murder, when he drove up to her house to show her a single picture of a dark complexioned person she didn't recognize. "He didn't never come here to ask me all these questions like you're doing now," Mrs. Lee said. "If he was really interested in the case he would have come out to ask me questions. But he never came back. That was the first time he came and that was the last time I saw him."

According to Mr. Lee, it took Moffett three weeks to pick up the bullet that had been removed from Mrs. Lee's head for ballistics tests. It took several weeks more for Moffett to respond to Mr. Lee's repeated telephone calls.

Three months after the murder, Mr. Lee called Moffett to ask him why there had been so little progress on the case. Mr. Lee said that Moffett told him that "the case was closed and there wasn't nothing I could do about it." Although he is usually a calm, soft-spoken man, he raised his voice in anger as he described how Moffett hung up on him after saying, "Why don't you just go and take your peyote and get high and stop bothering me"—a nasty reference to Mr. Lee's membership in the Native American Church, which uses peyote in its religious observances.

The Bureau of Indian Affairs ignored repeated reports of sexual abuse on the Hopi reservation in Arizona. A man was convicted on 142 counts in the case only after it came to the attention of other authorities.

A local high-school teacher told the Lees that a frightened student had confided to him that her boyfriend arrived at her house the night of the murder with his jacket soaked with blood. Although the Lees gave this information and the other evidence they had found to Moffett, they got no response and don't know whether the FBI ever followed up on the leads. "There's a lot of things we ask him and tell him but he wouldn't ever give us no feedback," Mr. Lee said. "From what the FBI told me the case is closed due to lack of evidence. That's what burns me. It's scary. To this day that man's still out there walking around somewhere."

When contacted in the FBI's Farmington, New Mexico office, Moffett refused to talk about the case beyond saying that it was still open and that Justice Department guidelines prohibit him from discussing

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cases that are being actively investigated. In a previous interview, however, he said that the investigation into the murder was "not active," although it was not officially "closed."

Criminal negligence

Under the Major Crimes Act, the federal government has jurisdiction over major crimes committed on Indian reservations, and these crimes are violations of federal law. Public Law 280, passed by Congress in 1953, allows the states to choose to share responsibility with the federal government for investigating and prosecuting a variety of criminal cases. Tribal police forces, which have the greatest interest in maintaining law and order on their reservations, have very limited authority, as a result of recent United States Supreme Court decisions.

In *Oliphant* v. *Suquamish Indian Tribe*, the Supreme Court held that tribes do not have criminal jurisdiction over non-Indians. In *Duro* v. *Reina*, decided this year, the Court extended this principle to anyone who was not a member of the tribe. In both cases the Court reasoned that because Indian tribes have only limited sovereignty, they cannot prosecute an outsider unless Congress delegates this authority, and the Court concluded that Congress had not done so. According to Michael Hawkins, a former U.S. Attorney for Arizona, the precedent set by the Supreme Court's decision in *Oliphant* "is a significant impediment to maintaining law and order and safe communities on Indian reservations."

The result of the statutes and Supreme Court opinions is a confusing maze of jurisdictional responsibility that paralyzes effective law enforcement on reservations. The FBI, the BIA, the state police, the local county sheriff's office, and the tribal police all have limited jurisdiction over crimes committed on Indian reservations, and it is not unusual to have all five agencies involved in at least the initial investigation of a single crime. But each agency's jurisdiction is so limited that violent criminals often fall through the cracks and avoid arrest, particularly if they happen to be white.

For instance, if a person is assaulted on a reservation, that crime is usually handled by the tribal police. But if the person assaulted is not a member of the tribe, the tribal police have no jurisdiction and the local police must be called in—if they are willing to investigate in the first place. Or if it is determined that the victim was sexually assaulted, the tribal police must hand the case over to the BIA police. And if the victim later dies, it becomes a murder case, which can be handled only by the FBI.

In one case, a non-Indian living on the Navajo Reservation repeatedly broke into the house of his ex-wife, a Navajo, and assaulted her. "When she called the tribal police for help, she was told that they couldn't help her because they didn't have jurisdiction over the crime," recalled her lawyer, Donna Chavez.

The woman then called the county sheriff's office begging for help. She was told that nothing could be done to help her because the sheriff's office did not have jurisdiction over crimes committed on the reservation. Finally, Chavez went to the BIA to see if their agents could do something to prevent the repeated beating of her client. After looking into exactly who had jurisdiction over the crimes, the BIA eventually decided that the woman could file a complaint with the federal magistrate in Flagstaff, almost 200 dusty miles from her home. "As it turned out, the complaint was never filed with the magistrate in Flagstaff, which is what happens in a large majority of the cases where Navajos are victimized on the reservation by non-Indians," Chavez said.

In another case reported in *The Christian Science Monitor*, the local police arrested a man for raping a woman on the Pine Ridge Reservation in South Dakota. They could not charge the man with rape because in South Dakota only FBI agents or BIA police are empowered to charge a suspect accused of committing a felony covered under the Major Crimes Act. The local authorities charged the man with public drunkenness in order to hold him until the federal authorities arrived. But anyone jailed on a minor charge has a right to bail or to a "temporary release" for time to pay his fine. The day after the arrest the man was out on a "TR." A young Sioux jailer shrugged, commenting with a bitter smile, "Of course, what it really means is that if the guy wants to sky out and go to places unknown, he can."

The chaos on the Mohawk Reservation this spring was an extreme example of jurisdictional confusion. In early April civil war erupted on the reservation, which straddles the border between New York State and the Canadian provinces of Quebec and Ontario along the St. Lawrence River. When Mohawks who oppose gambling on the reservation set up roadblocks to keep outsiders out, members of the Mohawk Warrior Society, who favor gambling, squared off on the other side.

Almost 2,000 Mohawks fled the reservation during the last week in April, leaving the roads lined with burned cars and the remaining residents—including women and children—armed with guns and bats. *The New York Times* reported that the sound of AK-47 assault rifle fire and occasionally hand grenades could be heard on the reservation at night.

There had been a complete breakdown of law and

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order. Although hundreds of troopers from the New York State police and federal authorities surrounded the reservation, they could do nothing. A treaty between the Iroquois confederacy and the state of New York, signed in the early 1780s, prevented outside intervention.

Frontier injustice

The disappearance of suspects is a common occurrence in Indian country. Because federal authorities are often so slow in responding, it is not unusual for the trail to be stone cold by the time they begin to investigate. The FBI has tried to solve this problem by relying on BIA police. Yet the poor training of the BIA's police force often exacerbates the situation.

The Arizona Republic reported a recent case on the Fort Belknap Reservation in Montana where the BIA police waited 44 days before responding to a charge of incest and sexual abuse, from which a nine-year-old girl developed venereal disease. When they did investigate, the officers interviewed the frightened victim in the presence of her father even though he was suspected of the molestation. Not surprisingly, no charges were ever filed.

In another child molestation case, the BIA ignored repeated reports of sexual abuse by a remedial reading teacher at a BIA school on the Hopi reservation in Arizona. Only when the case came to the attention of other federal authorities was the teacher convicted on 142 counts and sentenced to life in prison.

"Law enforcement on Indian reservations is in serious trouble," the U.S. Department of Justice said in a report issued in the mid-1980s. "Most Indian reservations receive totally inadequate police services, given their size and extraordinarily high rate of crime. It is particularly embarrassing that this exists in an area of primarily federal responsibility."

The situation has not improved. Testifying before the House Committee on the Interior and Insular Affairs in April, Nicholas O'Hara, deputy director of criminal investigations for the FBI, conceded that the agency has only 43 agents, less than half the number it needs, to investigate major crimes on Indian reservations and to train tribal police forces.

According to Edward Reina, chief of police for Arizona's Salt River Pima-Maricopa Indian Reservation, in 1981 a single FBI agent was assigned to investigate eight reservation homicides. But when a non-Indian woman was found murdered on the reservation, dozens of federal and state investigators descended on the small community. Angered by the disparity, the tribe built a professional police force of its own, whose work has been accepted by federal prosecutors.

One of the first cases handled by the new group involved a Cahuli Indian named Albert Duro, who had been arrested by federal agents for killing Phillip Brown, a young Pima-Maricopa Indian blown off his bicycle by a shotgun blast as he rode down an isolated road on the reservation. Although the grand jury handed down an indictment against Duro for first-degree murder, the case was dismissed when the U.S. attorney's office declined to prosecute.

Frustrated in their attempts to bring the man accused of murdering Brown to justice, tribal officials filed a criminal complaint in tribal court charging Duro with discharging a firearm on the reservation in violation of the tribal code. The Federal District Court dismissed the action against Duro, ruling that a tribal court could not lawfully exercise jurisdiction over a nonmember of the tribe, and the Supreme Court upheld the District Court's decision.

The refusal of the U.S. attorney to prosecute Albert Duro is an example of the absolute power local U.S. attorneys possess over law enforcement on Indian reservations. When a major crime is committed in other areas and the U.S. attorney refuses to prosecute, state or local authorities can prosecute the crime as a felony under state law. But according to former U.S. Attorney Michael Hawkins the Major Crimes Act leaves most Indian tribes at the mercy of the local U.S. attorney, who has sole discretion over whether crimes committed on a reservation within his jurisdiction will be prosecuted. There is no further recourse for the tribe should he decide not to prosecute.

In most cases the U.S. attorney, who is often located in a large city hundreds of miles from the reservation, is completely out of touch with the social and cultural life of the Indian nations within his jurisdiction. In a 1981 report to Congress, then-FBI Director William Webster acknowledged that "a significant problem of federal prosecution is that in many districts with a large volume of crimes committed on Indian reservations, the prosecution of these matters is considered [by U.S. attorneys] . . . as being undesirable work."

The situation is particularly bad in Idaho and Montana. In Montana, tribal representatives on almost all of the seven reservations have complained about the poor performance of the U.S. attorneys. Caleb Shields, a councilman of the Assiniboine and Sioux tribes from the Fort Peck Indian Reservation, says the U.S. attorneys in Montana "typically assign a low priority to the prosecution of offenses on Indian reservations. As a consequence, crimes are committed without fear of prosecution or punishment."

In Idaho, Indian and civil rights leaders have called for the resignation of U.S. Attorney Maurice

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Ellsworth, citing incidents in which Ellsworth refused to prosecute crimes committed against Indians. In one case, Ellsworth initially refused to prosecute an Anglo man accused of shooting up an Indian family's home with his rifle. The man was originally arrested by Kootenai County sheriff's investigators, but a state magistrate ruled that the state had no jurisdiction in the case because the alleged crime occurred on an Indian reservation.

Even federal judges have resisted aggressive prosecution of violent crimes on Indian reservations. According to William Lutz, U.S. attorney for New Mexico, federal judges pressed him to limit the number of violent Indian crimes his office prosecuted. "They feel as federal judges they should be hearing securities fraud and big international drug conspiracies," Lutz said. "They have asked our assistants why we have these cases."

Supreme Court press

James C. Nelson, the County Attorney for Glacier County, Montana, recently told the Senate Select Committee on Indian Affairs that the lack of adequate law enforcement has "made the life of many Indian and non-Indian people trying to live and raise their families in the reservation community a living hell."

Former Montana Senator John Melcher repeatedly tried to pass legislation that would have gone a long way toward alleviating some of the law enforcement problems on the reservations. The bill would have increased the number of federal magistrates, placed them on Indian reservations, and increased their investigative capabilities by authorizing them to use state, county, and tribal law enforcement officers in warrants, summonses, arrests, and trial procedures. The bill died when its principal sponsor was not reelected.

A small step toward improving federal enforcement was taken in August. Congress passed a law that establishes a separate criminal investigation branch within the BIA and for the first time authorizes BIA police to carry weapons, make arrests, and issue warrants. The BIA needed these changes, but they also simply need more funding. Theodore Quasala, the newly appointed chief of the BIA's Division of Law Enforcement Services, said "we don't have nearly enough resources to take care of what's going on out there."

A different solution being proposed by several Indian tribes is that criminal jurisdiction on reservations be transferred to the tribal governments. Claudeen Bates Arthur, former attorney general of the Navajo Department of Justice, said her tribe's position is that "it is appropriate for the Navajo nation to have complete jurisdiction over the people who commit crimes on this reservation whether they are a non-Indian or a Navajo."

Edward B. Martin, the former court administrator for the Judicial Branch of the Navajo Nation, contends that the tribe, which has its own police force of 130, could adequately handle this new responsibility without straining its present resources. While the Navajo tribe may be able to do so, the majority of other tribes' police and courts are trained to handle only minor intrareservation disputes and do not have the resources that would enable them to assume full criminal jurisdiction over their reservations.

The San Carlos Apache tribe, whose reservation is about 120 miles east of Phoenix, attempted to run its own law enforcement program in 1984. A subsequent Interior Department inspector general's report found that none of the police officers hired by the tribe had undergone background checks and that some had criminal records. Investigators also found that only three had basic police training, and that although the officers carried firearms, none were certified to do so by the state or federal government. The report concluded that "the safety and welfare of individuals on the reservation were in immediate danger" because of the police.

It is clearly a bad idea to transfer full criminal jurisdiction to all tribal governments today. Eventually, however, tribal governments should assume at least some criminal jurisdiction and lawmaking power over their reservations, just as state governments have over their states. Before this happens, more federal help will be needed to encourage the development of tribal judicial systems able to operate under proper constitutional procedures with advanced investigative skills.

Any solution must involve congressional action to enhance the powers of tribal authorities where needed. In addition, it's essential to have a meaningful federal training program for tribal police forces, and to put federal magistrates on reservations where requested by the tribes. Indians would also benefit from increased cooperation among the various law enforcement agencies now responsible for investigating and prosecuting violent crimes on reservations.

Foremost among all these considerations, as the façade on the Supreme Court building reminds us, is equal justice under law. As Chief Joseph of the Nez Perce told a congressional delegation more than a hundred years ago: "We only ask an even chance to live as other men live. We ask that the same law shall work alike on all men. If an Indian breaks the law, punish him by the law. If a white man breaks the law, punish him also." □

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MEMO OF THE MONTH

DEPARTMENT OF THE AIR FORCE
HEADQUARTERS KEESLER TECHNICAL TRAINING CENTER (ATC)
KEESLER AIR FORCE BASE MS 39534-5000

REPLY TO ATTN OF: 3380 ABG/SSF 2 October 1990

SUBJECT: Documenting Purchasing Problems

TO: ALL MWR ACTIVITIES

1. We have improved purchasing practices throughout the MWR Division through consolidated purchasing. One problem which has arisen in our attempts to buy the best product from the cheapest source is that in a few instances the quality purchased has been substandard. For example:

a. The Golf Course received a shipment of weiners which drastically shrunk when cooked.

b. The Golf Course received a shipment of bacon which contained an excessive amount of fat.

c. The Bowling Lanes ordered chicken breasts but received compressed chicken parts.

d. The quality of jelly ordered by the Bowling Lanes was unsuitable.

2. We want to ensure that purchasing problems are satisfactorily resolved. To do so, we must be notified in writing when you receive a less than desirable product. To make the notification process easier, reproduce the attached form letter and handscribe your procurement problems. When we receive your inputs, vendors will be notified that unless quality products are provided, they will be purged from our bid lists.

Myron W. Cummings

MYRON W. CUMMINGS
Chief, NAF Financial Mgt Branch
3380 Air Base Group

1 Atch
a/s

AIR FORCE—A GREAT WAY OF LIFE

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Mental Health Spas

How money intended for homeless psychotics went to suburban neurotics

by Andrew Bates

Remember the dozen or so homeless people you saw sleeping in the park or scrounging for food on your way to work this morning? Had the nation's Community Mental Health Centers (CMHCs) been doing their job providing basic care and treatment for the mentally ill, one-third of them—the homeless afflicted with schizophrenia and other forms of psychosis—would have been off the streets. Instead, more than twice as many Americans with serious mental illnesses are living in public shelters and on the streets than in CMHCs. And not only are the mentally ill being cheated, so are the rest of us: After all, the federal government is still spending $20 billion a year for this "care."

This isn't what the initial proponents of deinstitutionalization had in mind. Deinstitutionalization—the transfer of the nation's mentally ill from large state mental hospitals to local CMHCs that would provide more specialized care and treatment—was supposed to represent, as President Kennedy said in a special address to Congress in February 1963, a "bold new approach" to caring for the mentally ill. Proposing the establishment of a national network of CMHCs, Kennedy proclaimed that "reliance on the cold mercy of custodial isolation will be supplanted by the open warmth of community concern and capability."

This initial vision has been perverted by so many CMHC directors and officials at the National Institute of Mental Health (NIMH), that care for those with chronic mental illnesses is, according to a recent report by the Public Citizen Health Research Group and the National Alliance for the Mentally Ill, "a disaster by any measure used."

Compounding this disaster are the nation's psychiatrists, the vast majority of whom have been trained at least in part with federal funds (over $2 billion) and who've repaid their debt to society by abandoning the public sector in droves for lucrative private practices, where instead of ministering to the miserable, they cater to the comfortable. Also culpable are guilt-ridden liberals, advocates for the homeless, and ACLU lawyers, whose generosity in defending the "right" of the mentally ill homeless not to be hospitalized or to be given medication against their will has enabled these unfortunates to keep those rights, but little else.

Outraged? You should be—especially once you learn what many of our federally funded CMHCs *are* being used for. Take the Park Center in Fort Wayne, Indiana, for example. Its 1989 advertising brochure points out that "counseling services" are available for those afflicted with such severe mental disorders as "unhappy relationships," "anxiety," "procrastination," "an inability to communicate effectively," and "poor job performance."

What the advertising conveniently fails to mention, however, is that taxpayers spent $12.7 million on Park

Andrew Bates is an intern at The Washington Monthly.

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Center (originally known as the Fort Wayne CMHC) so that it could provide basic services for the region's mentally ill, not high-priced psychotherapy for its anxiety-ridden elite. Instead of complying with its federal mandate to serve the mentally ill, Park Center is—quite literally—leaving them out in the cold.

Then there's the Battle Creek Adventist Hospital in Michigan, which received more than $700,000 in federal funds to construct a new building and become a CMHC. Since the 37-bed unit was completed in 1971, this taxpayer-subsidized facility has operated exclusively as a private psychiatric hospital; space designated solely for CMHC use has been given instead to the hospital for its X-ray department, laboratory, and storage needs, none of which benefit the mentally ill. An independent inspector's report following a 1987 visit to the site puts it plainly: The Battle Creek CMHC "as originally conceived never materialized." Meanwhile, nearly 7,000 mentally ill homeless, many of them the intended patients of Battle Creek who were never treated there, are now wandering the streets of Detroit.

Club Mad

What's occurring at Park Center and Battle Creek is symptomatic of the larger tragedy that has befallen the nation's mentally ill: While federal funds are being used to support private care for the worried well, those with serious mental illnesses are finding it increasingly difficult to get proper psychiatric care at the CMHCs obligated to serve them. "It is likely that thousands of mentally ill people were not able to find treatment because federal funds in their communities were spent on [facilities] that did not provide services they could afford," says Rep. Ted Weiss. "Some of these people became homeless. Others had their lives shattered by untreated mental illness."

What happened? After receiving millions in federal construction and staffing grants, many community centers followed the Park Center/Battle Creek strategy and converted into private psychiatric hospitals—for-profit corporations providing virtually no public care to the seriously mentally ill they were intended to serve. In fact, a 1988 report by NIMH revealed that only 9 percent of those being treated by the nation's CMHCs suffered from schizophrenia or "other psychotic disorders," while 20 percent were found to be suffering from "social maladjustment" or "no mental disorder." Dr. Jerry Dincin, executive director of the Chicago-based Thresholds clinic, one of the nation's leading psychiatric rehabilitation programs, puts it bluntly: "The leadership of the CMHCs decided that they like psychotherapy and that they don't like mentally ill people."

Some other examples of this disgraceful trend:

➤The Thalians/Cedars-Sinai CMHC in Los Angeles has abandoned treating the seriously mentally ill in favor of providing services like "Teen Line," where insecure adolescents can get advice on dating techniques. Meanwhile, roughly 3,500 persons suffering from schizophrenia and manic-depressive psychosis are languishing in the nearby L.A. County jail. Thousands more are living in the streets.

➤Since 1973, the DePaul Hospital CMHC in New Orleans, which had received $475,484 in NIMH construction funds, has been run illegally as part of a private psychiatric hospital by the Hospital Corporation of America, a company which recently posted an annual profit of about $63 million. Another CMHC in the city has been operating exclusively as a private psychotherapy clinic for over a decade. Meanwhile, public services for the mentally ill in New Orleans are abysmal: A 1986 report by a city task force estimated that 44 percent of the city's 7,000-10,000 homeless were mentally ill, while according to an independent investigator's report, for a number of years "as many as 60 patients per night slept on the floor adjacent to the psychiatric ward at [nearby] Charity Hospital waiting to be seen."

➤While Sacramento, California is suffering from an acute shortage of inpatient hospital beds for the mentally ill, space in the Sutter Hospital there—specifically designated for CMHC use—has been dedicated instead to a computer room, a chaplain's office, and a hair salon.

➤While tens of thousands of severely mentally ill patients in Florida have been forced onto the streets since deinstitutionalization began, the Orlando Regional Medical Center CMHC has used federal construction funds to build a hospital swimming pool and tennis courts. With the $2.1 million it received in federal CMHC staffing funds, the Orlando Center hired a cosmetics and fashion counselor, a beautician/hairdresser, six maids, six porters, a pool lifeguard, and a swimming instructor.

➤A 1987 visit by an independent investigator found that inpatient services at the Hazard Appalachian Regional Hospital in Hazard, Kentucky had been closed for roughly five years, that emergency services at the hospital were closed, and that there was no sign on the building suggesting that any mental health services were available. A state report issued that same year estimated that 40 percent of the 28,572 homeless in Kentucky were mentally ill.

The money that's been wasted this way by NIMH—as much as $100 million—may be pocket change to the federal government, but those who share the goals of the Great Society should be particularly outraged by such government breakdowns.

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Not only is the program failing those who need it, but in doing so it is fueling the conservative argument that government can never deal efficiently with poverty and public health.

NIMHrods

The root of the CMHC failure is NIMH's dismal oversight. Under the terms of each grant, the recipient is obligated to provide five basic services—inpatient services, partial hospitalization, outpatient services, 24-hour emergency services, and consultation and education services—which are to be made available to all residents in its area for 20 years. Failure to abide by these provisions is supposed to subject the out-of-compliance CMHC to NIMH recovery proceedings, designed to allow the government to retrieve the misused money. Unfortunately, NIMH has never taken a real interest in seeing whether grantees are complying.

The case of the Community Health Counseling Services (CHCS) in Bangor, Maine shows that. The Bangor medical group had hoped to provide basic services and treatment for the mentally ill of Hancock County, a region about halfway up the Maine coast, which had been designated a federal poverty area. So in 1976, CHCS and the Hancock County Mental Health Association applied for a federal construction grant from NIMH to build a single-story mental health facility for county residents.

But in fact, the Hancock mental health association clearly had other plans for the facility all along, and more or less evicted CHCS from the federally subsidized building. The association then started renting out space to private psychiatrists involved in for-profit therapy services. At that point, the federally-funded Hancock County Community Mental Health Center ceased to exist. An August 1988 report by an independent monitoring agency stated that "none of the five essential services is being provided by the grantee either in the federally-constructed space or in any other location. . . . The grantee is out of compliance."

Although it had known about this violation since a June 1983 visit by its own regional official, NIMH failed to initiate recovery proceedings until 1989, when it referred the case to the Office of the General Counsel at the Department of Health and Human Services. From there, the matter went to the U.S. Attorney's office in Bangor. Finally, in August 1990, a settlement was reached under which the Hancock mental health association was forced to pay back $107,043 to the federal government. But this settlement was absurd, since it assumed that the center had been out of compliance only since 1988—even though NIMH had known about the violations since 1983. Five years of noncompliance went unpunished.

Even the head of the Hancock Community Mental Health Association wonders why NIMH failed to act. In an interview with the *Bangor Daily News*, Robert Keteyian acknowledged that his agency had failed to comply with federal regulations but said that it had notified NIMH officials of the fact in writing several times. "We wondered why they never responded," he remarked.

NIMH's failure to move against Hancock was no shock to Dr. Paul Curtis. Curtis's job at NIMH was to monitor health centers that had received construction grants to ensure that they were delivering the five services mandated under federal law. Despite, in his own words, "having virtually no administrative help or secretarial support," Curtis was able to implement a checklist system through which he could track down and verify CMHC compliance. His persistence enabled the federal government to recover nearly $3.8 million in funds from 10 CMHCs he caught abusing the system.

One would assume that Curtis's efforts were at least encouraged by his superiors at NIMH. But one would be wrong. "I met," he says, "with very determined resistance from within NIMH. In fact, I was actively discouraged from seeking recoveries."

After Curtis retired in 1986, NIMH, under pressure from the General Accounting Office, established a three-year, $460,000 contract with Continuing Medical Education, Inc. (CME) to conduct visits to a number of mental health centers. CME carried out investigations at 158 sites and found only 72 CMHCs (45.6 percent) playing by the federal rules. Despite this evidence, NIMH has recovered only the $107,043 in federal funds from the Hancock facility since Curtis's retirement more than four years ago. That's out of a total of noncompliant grants worth somewhere between $40 million and $100 million—a recovery rate of no better than one-fifth of 1 percent. The theory behind the lax policy, as enunciated by NIMH Deputy Director Alan I. Leshner, is that "if you push for recovery of the money immediately, [the CMHCs] will stop providing services. The philosophy was to do everything you have to do to get them back into compliance rather than shutting them down." Given that the centers are *already* not doing what they're supposed to, that's a red herring.

NIMH officials have known all along that serious abuses were taking place in the CMHC program. Yet, to this day, they insist that the violations are few and far between. "I'm confident that 70 percent of [the CMHCs] are doing an outstanding job," says James Pittman, an associate director at NIMH for program operations, which includes oversight for construction

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grants. Those who have investigated are far less sanguine. "My guess is that not more than five percent of the grantees are in compliance with federal regulations," says Howard Fishman, CME's vice president, who estimates that 25 percent of the community centers "are seriously, blatantly, out of compliance. And NIMH knows that." The "heart of the problem," a deeply critical, internal NIMH memorandum pointed out in 1972, is that if a CMHC "is not doing what it said it would, NIMH is not really interested in knowing."

Juddheads

Given NIMH's laxity, it should come as no surprise that the possibilities for fraud and abuse know no bounds. One CMHC located in rural Minnesota received five construction grants. The reason? The head of the CMHC was a close friend of James Stockdill, then director of NIMH's Division of Education and Service Systems Liaison. Even worse, from 1987 to 1989, Stockdill and other NIMH officials issued unauthorized waivers to 37 construction grant recipients that allow them to use their federally funded facility for purposes other than care of the mentally ill . Under federal guidelines, only the secretary of HHS and the director of NIMH have the authority to approve such waivers. Yet earlier this year, NIMH Director Lewis Judd protected his wayward subordinates by retroactively approving all 37 waivers.

Alerted by CME's and Public Citizen's charges of abuse, the inspector general's office of HHS and the GAO have begun separate investigations into the NIMH grant programs. Now that it is under investigation, of course, NIMH is promising that improvements will be made in its oversight procedures. The problem is that under its "reorganization" plan, guess who will conduct the initial site visits? You got it: senior NIMH staff members, many of whom have already proven their dedication through their effective, timely monitoring of such grantees as Hancock. Can you say "conflict of interest"? Obviously, the crisis demands reviewers from outside NIMH.

NIMH's version of reform hardly surprises Fishman. The day before signing the contract with CME, NIMH officials told him he had to hire former NIMH staff members. Only after Fishman threatened to quit did NIMH allow him to use a team of outside experts instead. That episode convinced Fishman that NIMH "essentially didn't give a damn" about ensuring that tax dollars were well spent. NIMH authorities "didn't know how to handle such oversight," Paul Curtis adds. "They were used to sending money out, not bringing money in." □

The Washington Monthly

JOURNALISM AWARD

FOR SEPTEMBER 1990 IS PRESENTED TO

Bill Gifford and the editors of *Outside*

One of the biggest environmental problems facing the concerned citizen is sorting out the hundreds of green groups asking for support and money. This survey helps out by cataloging the politics, funding, track records, and dirty little secrets of 25 environmental organizations. Among the top rated are the Sierra Club Legal Defense Fund, the African Wildlife Foundation, and Citizens' Clearinghouse for Hazardous Wastes. On the other end of the scale, the authors reprove the National Wildlife Federation, which they reveal bulldozed butterfly-inhabited trees and shrubs to build its new $30 million headquarters building and also recently sold a farm to developers that had been donated expressly to serve as a nature preserve. This user's guide also tells you that: Ducks Unlimited campaigns hard for lead shot, a major cause of bird poisoning (and that Browning has a special DU line of shotguns); Greenpeace squelched a union drive by its poorly-paid canvassers and phone fundraisers; and the National Audubon Society, despite its stance against drilling in Alaska, last year made $400,000 from the oil and gas exploration it allows on land it owns in Louisiana.

The Monthly Journalism Award is presented each month to the best newspaper, magazine, television, or radio story (or series of stories) on our political system. Nominations for any newspaper, magazine, or radio or television station in the country are welcome. The subject can be government in its federal, state, or municipal manifestation. Please send nominations to Monthly Journalism Award, 1611 Connecticut Ave. NW, Washington, D.C. 20009. Two copies of the article or broadcast text should accompany the nomination.

Nominations for stories published or aired in November will close December 15. The winner will be announced in the January/February issue.

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TIDBITS & OUTRAGES

WARNING: GUNPOWDER FUMES MAY CAUSE BRAIN DAMAGE

A National Rifle Association press release stated that "Minnesota voters played a major role in the victory of that state's gubernatorial primary elections yesterday."

WELL, THE ENGLISH DEPARTMENT'S NOT HAVING AS GOOD A YEAR

Permian High School, in Odessa, Texas, budgets $5,400 a year for teaching materials for the English department but $6,400 for rush-order printing of its football game films.

INCOMING WHAT, SARGE?

Japan is sending 40,000 Walkman-type cassette players to the U.S. troops in the Persian Gulf.

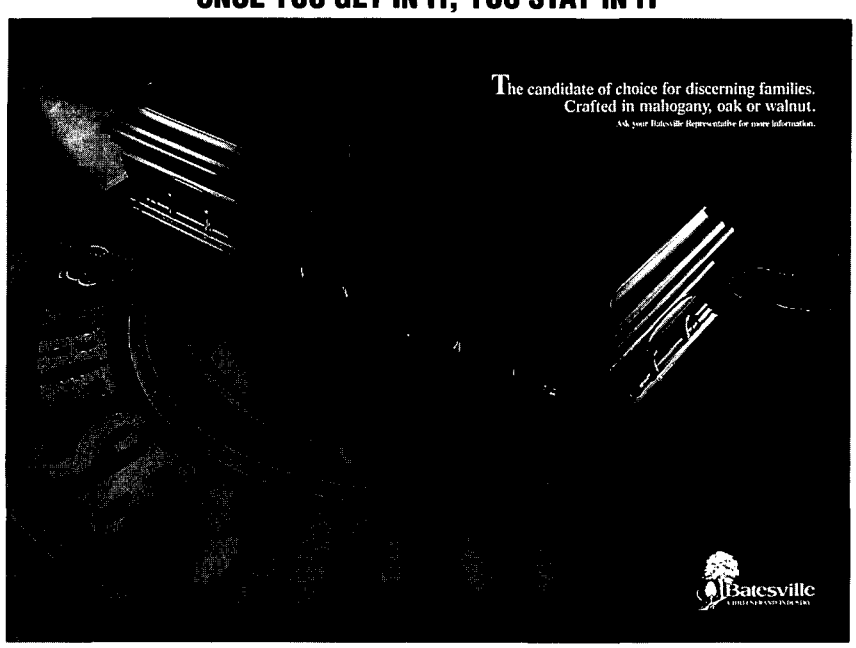
MANILA FUDGE

The army general appointed by Corazon Aquino to investigate allegations that the government lottery was rigged later won the top prize of $200,000.

THE SECRETARY ALSO ANNOUNCED THAT ON NEW YEAR'S DAY HE'LL BE INSPECTING TROOPS IN PASADENA

Secretary of the Air Force Donald B. Rice flew on an Air Force jet along with his wife and an aide to Notre Dame University the day of the Air Force-Notre Dame football game. The trip cost taxpayers $5,700. Secretary Rice's spokesman stated that the flight's purpose was to allow Rice to discuss "official business" with Notre Dame's ROTC cadets.

OUR PRODUCT IS A LOT LIKE CONGRESS— ONCE YOU GET IN IT, YOU STAY IN IT



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BANKING ON SECRECY

With our banks about to go the way of our S&Ls, it's time we made the Freedom of Information Act cover financial institutions too

by Teresa Simons

Say your neighbor just cracked up his car. So he asks to borrow your limited-edition 1991 Acura NSX. But he hems and haws when you ask him how his accident happened and if he's had any others. Are you still going to let him borrow the Acura? Well, maybe. But you're pretty whacked if you don't first make him answer your questions. Some people will still think you're crazy for lending the car. But don't worry. You learn a lot faster than Congress.

Congress allowed our friendly neighborhood thrift regulators to hide under the cloak of official government secrecy—lulling the press and public into complacency—as hard-dollar damages grew from an estimated $50 billion in 1987 to nearly $200 billion today. Add another $300 billion or more for interest costs, additional anticipated thrift failures, and recessionary effects. Yet like a car owner who doesn't heed the warning of an earlier crash, Congress is nevertheless allowing confidentiality to frustrate attempts to assess another potential disaster-in-the-making—the one brewing at the nation's banks. The bank regulators are citing the same confidentiality laws touted by the thrift regulators.

It wasn't just fraud, insider abuse, and an unreasonable government-regulated interest rate structure that created the S&L crisis. There was another culprit: official government secrecy fostered by a major exemption in the federal Freedom of Information Act (FOIA).

Edwin Gray, who headed the Federal Home Loan Bank Board in the mid-1980s, says he was frustrated in trying to sound the alarm by his inability to release pertinent information to the press. The law says that doing so could have cost him his job as well as a year in prison. Gray now contends that the S&L losses would never have grown so large had the public been given more information about the problem sooner. "That would have gone a long way to helping," he says.

House Banking Committee Chairman Henry Gonzalez puts it this way: "The savings and loan scandals grew in the dark basements of official government secrecy."

The information blackout on financial institutions has been so severe that even law enforcement officials have had trouble getting the information they need to stop crooks. Jim Watson, one of the California attorney general's top narcotics officers, said that two years ago he couldn't even get the Federal Reserve to tell him whether banks in its Los Angeles region were sending a lot more cash back to the Reserve than they were taking and, hence, possibly laundering drug money. The Reserve now acknowledges that Los Angeles area banks do have large cash surpluses, but it still won't release cash totals for individual banks. Reserve spokesman Ron Supinski says the secrecy stems from "a business relationship. [The banks] don't want that released, and the Federal Reserve does not want it released, so it's not released."

The main culprit for this sanctimonious secrecy is Exemption 8 in FOIA, which says the American public needs to know about nearly all of its government institutions, except its financial ones. Written broadly

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and interpreted broadly by the courts, the exemption says government officials don't have to release information "contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions." This includes records kept by the Office of Thrift Supervision (OTS), which has replaced the Federal Home Loan Bank Board in regulating thrifts; the Comptroller of the Currency, which regulates nationally-chartered banks; the Federal Reserve, which regulates key state-chartered banks; and the Federal Deposit Insurance Corporation (FDIC), which regulates the state-chartered banks that don't belong to the Reserve.

Former thrift regulator Gray argues that because the United States insures all deposits, "that makes every taxpayer in America a shareholder in every federally insured institution, and if they are shareholders, then it seems to me we at least ought to disclose to taxpayers the same kind of information as shareholders get." But we don't. Few banks and thrifts are public, so for the most part, taxpayers can't even learn if an institution is giving its executives excessive salaries or if its activities have drawn the special attention of regulators.

What information is released is not only difficult for lay people to interpret but also may be based on wildly misleading figures. The nation's banks and thrifts produce their own quarterly reports, which are in turn analyzed for the investment community by financial rating firms. But the firms' analyses rely on figures supplied by the financial institutions themselves. (And occasionally the ratings outfits reaped big bucks for their glowing reports at the very same time regulators were privately noting serious problems.)

The most accurate information often appears in the secret reports and memos generated by the government examiners. This is what the public needs to see: whether the examiners found accounting irregularities, whether property appraisals were missing and borrowers were not credit-worthy, whether borrowers were delinquent in repaying their loans, whether an institution's directors received low-interest loans, and whether an institution's managers withheld information.

Secrecy laws covering financial records emanate from a Depression-era mindset obsessed with the idea that release of "sensitive" financial information would cause consumer panic and a run on banks. That thought is perpetuated today by industry lobbyists and regulators who talk about runs the same way the Pentagon used to bring up threats to national security every time anyone asked for information about a defense contract. But in fact, the establishment of government-backed insurance for every deposit of up to $100,000 has significantly reduced the risk of runs on banks and thrifts. And even depositors with more than the insured amount at risk are in effect covered: When the FDIC decided to bail out Continental Illinois Bank in 1984, it covered even enormous deposits because it said it couldn't let such a large bank go under, thereby setting a precedent that has since led the government to bail out all depositors everywhere, no matter the size of their accounts.

Even if the release of thrift examiners' reports had led to a few runs on S&Ls, it's inconceivable that the result would have been a thrift industry as hurting as the one we've got now. Perhaps if a few more thrifts had gone up in smoke five years ago, there would have been fewer thrift failures today. Public pressure would have forced Congress to supply the money and the regulatory action needed to clean up the mess before it got out of control.

The Keating jive

Instead, FOIA's Exemption 8 and related secrecy laws frustrated attempts by the (all-too-few) journalists, economic researchers, and others who suspected problems at thrifts and were trying to get a handle on the damage. What this official government secrecy bred is demonstrated by the autopsies of the few bank and thrift failures about which considerable information has become public—usually through leaks, subpoenas issued in lawsuits, or congressional testimony. In each case, the after-the-fact release of crucial documents has shown that delays in regulatory action—not likely to have occurred had the facts become public sooner—have cost taxpayers billions.

➤When Charles Keating Jr. applied to buy Lincoln Savings and Loan in Irvine, California, he solemnly promised not to change the thrift's primary role, which was to help families buy homes. He wrote thrift regulators that "no changes are expected in the performance by [Lincoln] . . . in meeting the credit needs of its entire service area . . . including low- and moderate-income neighborhoods." Yet in the first year after he took over the thrift, he made only 11 home mortgages, at least four of them to officials of his parent company, American Continental Corp. So officials of the Federal Home Loan Bank Board knew early on that Keating was not keeping his most basic agreement with them, and by the spring of 1986, an agency examiner in San Francisco wrote a memo to his supervisors saying that Lincoln was a "disaster in the making." By mid 1987, the examiners' files clearly indicated that from Chairman Danny Wall on down, the Bank Board knew that Lincoln was essen-

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tially bankrupt and had, in effect, turned itself into a federally-insured casino. Yet Washington regulators, pressured by Keating's friends in the Senate, did not close Lincoln for another two years. In the thrift's final year, regulators sat and watched as 23,000 people walked into Charlie Keating's trap and unwittingly threw away $220 million of their life savings. If the public had access to the government examiners' files, Senators Alan Cranston, Dennis DeConcini, and Donald Riegle would have had a hard time claiming, as they actually did, that bureaucratic regulators were harassing Keating. Joseph Cotchett, the lawyer representing the 23,000 buyers of Lincoln's now-worthless junk bonds, says most of his clients would probably still have their money had the examiners' reports been public. The taxpayers' bailout of Lincoln is now expected to cost $2.5 billion.

➤James Moroney says that when he was a staff analyst for the Bank Board's Topeka district in 1986, he went to a fellow supervisor and asked why they were "putting up with" Silverado Banking, Savings and Loan. He was informed that one of the Denver-based thrift's directors was then-Vice President Bush's son. In the fall of 1987, the lawyer for the Topeka district warned top enforcement officials in Washington that Neil Bush was involved in questionable actions on the Silverado board. Then, wrote George Williamson in the *San Francisco Chronicle*, "For the next 15 months, federal regulators increasingly scrutinized, worried about, and—most significantly—put off critical action on the sensitive case. . . . Top thrift regulators engaged in a persistent pattern of delays involving Silverado, culminating with a series of unusual steps in the fall of 1988, when then-Vice President Bush was in the final stretch of his presidential campaign." Finally, on November 9, the day after the 1988 election, the president of the Topeka Federal Home Loan Bank signed a memo recommending a government takeover of Silverado, which occurred a month later. Had the regulators' files on Silverado been public in 1986 and 1987, it is highly unlikely that election-year politics would have delayed the thrift's seizure. Instead, Silverado cost taxpayers hundreds of thousands of dollars each of the hundreds of additional days it remained open, and its collapse is now expected to cost $1 billion.

National archivists will release bank examination reports from the Comptroller of the Currency only if an institution has been defunct for 50 years.

➤Federal regulators knew in 1985 that Don Dixon of Texas was looting Vernon Savings and Loan to pay for hunting trips, a vacation house, prostitutes, and illegal campaign contributions. At that time, the thrift was only a quarter the size it was when finally seized by the government two years later. Sure, making this information public might have resulted in a run on Vernon. But what better time to have had an ugly little run? Taxpayers would have been spared paying most of the eventual $1.3 billion bailout cost. Instead, regulators continued to keep their files secret and did not begin to talk about a takeover until the end of 1986. Even then, former House Speaker Jim Wright, at the urging of then-Rep. Tony Coelho, sought to rescue the man who had let both of them sail his Vernon-financed yacht, *High Spirits*. Wright pleaded for a little more time for Dixon and got it. But in March 1987, the inevitable happened: the Bank Board took over Vernon. Wright probably wouldn't have demanded more time had the public already known the facts. When the details were finally leaked to reporters, Wright's press secretary quickly issued a statement: "The Speaker's aim from the beginning has been to make sure that depositors are protected and that sound and salvageable private businesses are not forced into bankruptcy or foreclosure whenever that can be avoided." Sounds good in theory, but when regulators finally closed Vernon, they found that 96 percent of its loans were bad.

One doesn't need to look just at big cases to find examples of questionable enforcement that certainly would have bothered depositors and taxpayers had they known about them. When the California state archivist last fall inadvertently allowed *San Jose Mercury News* reporter Gary Webb to pore through boxes of confidential documents from the early 1980s, he found many unsettling practices at thrifts that stayed open far too long. In 1983 at Gateway Savings in Oakland, for example, a state Department of Savings and Loan examiner found "unsafe and unsound lend-

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ing practices," including a $150,000 loan to a borrower with no job or other income, and $9.1 million worth of real estate investments for which no property appraisals had been done. The thrift also made 53 loans totaling $2.1 million to its board members, some of whom were seriously delinquent in repaying them. But Gateway was not seized until 1986, when it was $65 million in debt. At First Security Savings in Eureka, 1983 was also the year that examiners found that two of the thrift's three directors were receiving $70,000 salaries while devoting zero time to the business. The thrift's president was paid a $170,000 salary plus a $439,000 bonus in a year in which his thrift made only a $15,000 profit. Yet regulators did not seize the thrift until 1988.

"If reporters like myself had gotten key documents, this S&L crisis would have been severely shortened," maintains a northern California reporter, Steven Pizzo, who, together with Mary Fricker and Paul Muolo, published a book about the thrift industry's collapse, *Inside Job*, last fall. Pizzo says it took him four years to develop sources who would risk prison to brown-bag him confidential thrift reports. "We had to depend on court cases and hope attorneys would attach exhibits. We had to look at bankruptcy cases, and we *prayed* for divorces because they were very revealing. . . . But we shouldn't have to work on a story like a Ouija board."

Donald Trump card

Despite the obstacles, some reporters have managed to demonstrate that government documents are often the key to uncovering corruption at banks and thrifts. Jerry Kammer and Andy Hall of the *Arizona Republic*, using their state's revealing records on real estate transactions, found that while DeConcini defended Keating from what the senator called "rogue bureaucratic regulators," two of DeConcini's top campaign aides amassed more than $50 million in real estate loans from Lincoln Savings. By examining an exhibit attached to a lawsuit, *The Houston Post*'s Peter Brewton found out that $7 million of the $20 million a Texas S&L had loaned out for a development project went to a company that was laundering drug money. Because her newspaper went to court, *The Washington Post*'s Kathleen Day obtained two Bank Board memos that said D.C. councilwoman Charlene Drew Jarvis and her political adviser and social companion, Woodrow Boggs Jr., successfully pressed the agency to sell an ailing thrift to Citicorp, without disclosing that lobbyists for the New York banking giant had paid Boggs $60,150. But reporters more often than not are still turned down in their requests for information. Even now, when they get information leaked to them they never know whether they're looking at the elephant's leg or the whole elephant. Congressional researchers and public interest groups have the same difficulties.

Assigned to sell off and liquidate thrifts, the Resolution Trust Corporation (RTC) has acknowledged that it has allowed some of the thrifts' former executives to continue to draw six-figure salaries from the government, even though they are no longer working full time for the institutions and may be responsible for their demise. But the RTC has refused to release details on these salary arrangements, prompting Ralph Nader's Public Citizen interest group and Cox Newspapers to file a freedom of information lawsuit against the agency in September, a process that could take years to pry loose any information.

It took nearly three months of cage-rattling for a House Banking Committee staff member to obtain the OTS documents he needed to assess 94 deals the government made with buyers of failed thrifts in 1988. No wonder. The staff member's findings, released to the committee in September, revealed that regulators required the fat cat thrift buyers to invest a mere $2.2 billion in exchange for the government's contribution of $175 billion.

At the same time, other banking committee staff members were having trouble investigating banks' commercial lending practices, such as whether banks were channeling credit to large borrowers and ignoring smaller ones. The staff members wanted to use Donald Trump's loan restructuring as a case study. But Comptroller of the Currency Robert Clarke refused to release the essential information, claiming federal laws other than the FOIA, those governing disclosure of trade secrets and banking information, prohibited him from doing that. (Instead, the committee got the information detailing Trump's $3.2 billion debt, much of which was unsecured, from New Jersey's gaming commission. The commission was involved because Trump had pledged casino equity for the restructuring.) Committee Chairman Gonzalez later wrote Clarke that his agency and the Federal Reserve Board had "flatly stonewalled" the committee's efforts.

Indeed, the FDIC once even sued the comptroller's office for information and still didn't get everything it wanted. Courts have also declined to require regulators to release information on competing bids to take over a failed thrift and have refused to help the Consumers Union get information on banks that are miscalculating interest rates. Former regulator James Barth said that when he was with the Bank Board, people would sometimes ask for information about an S&L that, unbeknownst to them, was in the thrift's own annual report and on file with the U.S. Securities

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and Exchange Commission, but the Bank Board still wouldn't give it out.

National archivists, in fact, will release bank examination reports from the Comptroller of the Currency only if an institution has been defunct for 50 years. And only rarely will the comptroller authorize release of a report, regardless of how old it is, if the bank is still operating. "We don't allow that, period," says Frank Vance, the comptroller's disclosure officer. "As long as banks are up and running, examination reports are off limits."

Too close for discomfort

This cult of secrecy envelops state regulators as well. Raymond Vickers, a former top bank and thrift regulator for Florida, said he had to fight for a year-and-a-half before he got 60-year-old examination reports from Florida Controller-Banking Commissioner Gerald Lewis last year. Vickers wanted them to study Florida bank failures in the 1920s for his doctoral dissertation. He found that every bank that failed was rampant with fraud or insider abuse. And guess what? The regulators knew what was going on.

"This is an institutional obsession. They [financial regulators] are so obsessed with confidentiality, it's just a knee-jerk reaction," says Mike Malloy, a law professor and graduate studies director at Fordham Law School. "The keepers of those records are the most anal-retentive people on earth," exclaims Kammer of the *Arizona Republic*.

A look at California—which in 1968 adopted a public records disclosure law with an exemption for financial documents virtually identical to Exemption 8 of FOIA—illuminates why the FOIA exemption has persisted despite the S&L debacle. Michael Dorais, general counsel for the California Newspaper Publishers Association, recalls that the public records law would not have passed had its proponents not bowed to the financial industry's lobbyists. "They had relationships that wouldn't quit," says Dorais. "Nobody had more muscle than these guys, except alcohol and horse racing [interests]." Twenty-two years and one S&L scandal later, nothing has changed. State Assemblyman Richard Floyd recently introduced legislation to repeal the exemption for bank and thrift documents, but he couldn't even get it out of committee. "Once they realized that this was going to a hearing, the bankers went into a red-alert mode," says Floyd. A state banking department lawyer argued that even though the information was "of little interest or constructive use to anyone outside the financial regulatory community," it would still result in "serious harm to the financial institutions involved, in many cases potentially causing, in effect, a run on a bank. . . . Presently, this department and the industry we regulate maintain cordial relations in our examination and regulatory activities, due, in large measure, to the knowledge . . . that the information made available to us is not available to the public. This bill would have a very chilling effect on that relationship." Sure, public inspection could ruin the genial relationship that exists between the financial industry and its watchdogs. That's sort of the point.

Your government inaction

Post-S&L crisis efforts to modify the FOIA exemption haven't fared any better. Rep. Joe Kennedy, with assistance from Rep. Gonzalez, managed to get a provision in last year's S&L bailout bill that requires regulators to release information on racial disparities in loan rejections at individual S&Ls. (The measure was prompted by a Pulitzer Prize-winning story in *The Atlanta Journal-Constitution* showing that blacks were rejected more than twice as often as whites when they applied for home loans. The newspaper had been shut out when it tried to get figures for individual thrifts.) But that has been the only change in the confidentiality laws. The House Governmental Operations Committee recently held a hearing on various proposals to modify Exemption 8. Ralph Nader and an ACLU lobbyist testified, but no votes were taken. Sherry Ettleson of CongressWatch says she couldn't even get anyone on the House Banking Committee to conduct a hearing on Exemption 8. One congressional subcommittee held a separate hearing on legislation proposed by Rep. Gerald Kleczka that would have made a number of changes in the FOIA, including a narrowing of the exemption for financial records. But it wasn't voted on either.

This lack of action is deplorable, particularly when there is such confusion and disagreement as to the condition of the nation's banks.

Dan Brumbaugh and James Barth, two economists and former thrift regulators who predicted the S&L crisis in 1985, have been assigned along with a third economist to study the nation's banks for a House banking subcommittee. They fear the institutions could be in far worse shape than FDIC Chairman William Seidman has acknowledged and warn that another taxpayer bailout may be needed. But the three researchers have been denied access to many of the documents they requested for their study. At one point, Rep. Frank Annunzio, the subcommittee chairman, himself asked for a list of the nation's problem banks, promising that it would be kept for the subcommittee's use only. But Seidman refused to release the list to Annunzio, calling it one of the FDIC's "most sensitive documents. . . . I am sure you can ap-

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preciate the possible consequences for individual institutions and the banking system should information from the list be disclosed, even if advertently," Seidman wrote. Never mind the consequences for taxpayers and consumers if it is not disclosed.

Brumbaugh says he is "convinced that the reason why they are not giving us the data we need is that they realize an objective analysis of the banks is going to show that they're worse than they have said. Much worse. I think it's a scandal and an outrage. They're covering up." He says that "it was like pulling teeth" just to get the nonconfidential data. Government Accounting Office Comptroller General Charles Bowsher also suspects a disaster waiting to happen. "Not since its birth during the Great Depression has the federal system of deposit insurance for commercial banks faced such a period of danger and uncertainty as it does today," he says. If he's right, why should we have to find out the hard way?

Freeing up FOIA

Of course, just because the information is there, it doesn't follow that the press is going to do its job and report it to Joe Taxpayer. And it doesn't mean that Congress will do the right thing either. Congress knew quite a bit in 1987 when it passed a flimsy bailout bill that grossly underestimated the S&L problem and sided with the people who were causing it. When Michael Binstein was leaked more than 300 pages of secret documents on Lincoln Savings and published the spectacular findings in the Washington D.C. business and politics magazine *Regardie's* in 1987, not one other reporter asked to see the documents. And this year, Steven Pizzo had to go to *Penthouse* to publish a story that he wrote on how CIA freelance operatives took full advantage of the thrift situation, using federally insured bank and thrift money to fund politically unpopular covert activities. (Peter Brewton published stories on the same topic in *The Houston Post*.)

But it would be a lot harder for Congress or the press to sleep on the job if the facts were staring them in the face, or at least were a few blocks away in a room full of public documents. Other publications might have run a story similar to Binstein's if one of their own reporters could get access to the same documents—if it were just a matter of following up on what he or Brewton had already dug up in the public record. Keating's top lieutenant, Judy Wisher, once said in court testimony that the *Regardie's* piece was "very, very damaging," that it curtailed the thrift's brokered deposit program and caused lenders to refuse to renew some of its holding company's credit lines. And that was a story published locally on the other side of the country. Imagine what would have happened if Binstein's piece had run on the front page of the *Los Angeles Times*. The chances are pretty good that Keating would not have subsequently been able to dupe 23,000 southern Californians out of their life savings while Bank Board Chairman Danny Wall and other Washington regulators were offering pat reassurances.

Which points to a truism about government: While some regulators like Wall will always take the easy way out and soften their criticism out of fear that they will upset a powerful figure, in general regulators do a better job if they know their work will become public. And that fact makes it a lot harder for their bosses to suppress their good efforts. The upshot is that taxpayers find out a lot more about their government—disclosure is how safety problems were directly linked to poor management within NASA, how the FBI was caught conducting illegal surveillance of hundreds of American citizens and groups opposed to the administration's policies in Central America, and how we finally learned that former high-level government officials successfully used their political influence at HUD to rake in large fees from developers.

Recent improvements at private medical labs clearly illustrate the kind of cleanup that disclosure can prompt in an industry where the public release of regulators' documents, SEC filings, nonprofit agency tax forms, or other records allow the public to make sure regulators are protecting consumers. *The Wall Street Journal*'s Walt Bogdanich used an array of documents from federal and state health regulators and court records to prove in 1987 that inaccurate and unreliable testing of body fluids and tissues at clinical labs was a serious health hazard as well as a waste of millions of dollars.

Disclosure could be likewise beneficial at banks and thrifts. Small depositors are protected by deposit insurance in the event of a bank or thrift failure, but more information could help them avoid going through the annoyance of having their checking accounts suspended, their checks returned unpaid, or the interest rates promised to them by one institution voided by another. Big depositors and lenders have other reasons for wanting to know more about the financial institutions they're considering doing business with. A builder, for example, who has taken out a partial loan for a development wants to know if his bank is going to be around to issue the money promised for the rest of the project. And some individuals and corporations don't want to invest in a crooked institution simply because they figure that if it cheats the government, it's likely to cheat customers too.

When you get down to it, the only thing non-dis-

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closure really does is protect the unscrupulous operators. Saying you can't let the truth out about a bank or thrift because it could lead to a run on the institution and a lack of consumer confidence in the banking industry is as crazy as saying Transportation officials shouldn't have released information about the deadly defect in the 1973 Ford Pinto's fuel tank because people might have lost confidence in the auto industry.

Members of Congress who have criticized the secrecy of bank and thrift regulation should now do something about it. Congress wrote the confidentiality laws, and it can rewrite them. We shouldn't just wait for the courts to change them, even though some judges may want to. When Consumers Union sought to obtain information on banks' compliance with truth-in-lending laws 12 years ago, U.S. Court of Appeals Judge J. Skelly Wright wrote: "First, a central proposition underlying Exemption 8—that certain information must be kept from the public for fear that it will be misunderstood and lead to overreaction—is somewhat inconsistent with the philosophy behind the Freedom of Information Act. Second, the mere fact that there is a long-standing tradition of confidentiality of bank records—a tradition occasionally referred to with some reverence in testimony before the Senate subcommittee—strikes me as irrelevant. It may be time for a reexamination."

What better time than now? The public has more than paid the price of admission to the regulators' archives. □

The Worst City Government

So far, the contest for the Worst City Government remains a close race between New York City and Washington, but other nominations are welcome.

What with the New York City school bureaucracy's killer combination of teacherless classrooms and more school administrators than the whole of France, you'd think kids would have enough obstacles to learning. But the city's gold-broomed custodial contract illuminates how educational indifference trickles down.

An October *Village Voice* study of the local International Union of Operating Engineers shows how city janitors have managed to earn up to $70,000 a year—more, needless to say, than any classroom teacher—while hamstringing dozens of educational opportunities for the kids who need creative help the most. Janitors, you see, hold the keys to the schools.

In 1988, the city gave custodians raises averaging $11,500 in exchange for permitting parents and teachers to conduct educational programs after hours. Yet today, if a PTA wants to hold tutoring sessions or parenting classes that keep the school open beyond the contracted extra six hours a month, it's got to pony up $90 to Mr. Mop—a huge price for tiny PTAs on the Lower East Side.

And that's provided parents get the requisite paperwork in on time. The union offers a helpful 25-page instruction booklet for that. Between the red tape and the highway robbery, the usual PTA enterprises—remedial math, fundraising for extra books, balls, and toilet paper—easily fall by the wayside.

Of course, funding all this friendly service isn't just a matter of $90 payoffs. In addition, taxpayers cover an astonishing custodial budget of $230 million a year (more than New York spends to house its homeless). In exchange, the custodians have agreed to mop cafeteria floors *once a week*.

While federal and local subsidies serve up a morning dose of Frosted Flakes and scrambled eggs to hundreds of thousands of America's low-income kids, that good cause doesn't penetrate New York's custodial kingdom. At one elementary school, the school custodian steadfastly bars the cafeteria workers from the building until 8 a.m., which keeps them from having enough time to prepare breakfast. The custodian's contract doesn't say anything about giving a damn.

What the contract *does* spell out offers far better reason to get up in the morning. Within what the City Council once described as their "autonomous empire," custodians find their perks include everything from Jeep Cherokees to Macintosh computers. New York City's school janitors have the power to use Board of Education bucks to buy their own school "supplies." But there's a kicker: After five years, the ownership of that four-wheel drive or lawnmower can become the janitor's *private property*. (At $70,000 a year, you might think he could afford his own.)

Janitors do a dirty job, union officials point out rightly; why not sweeten their deal? The answer is growing in the schoolyard. Why won't someone cut that raging crabgrass outside of Kruse Elementary in Jackson Heights? Because the departing custodian took the lawnmower with him. Where's that elaborate computer/phone setup the Board of Education spent thousands on in 1985? Try the ex-janitor's house on Long Island.

—*Katherine Boo*

The *Monthly* depends on its readers to keep track of the breakdown of big-city government. Please send your nominations to:

Worst City Government
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Uncle Sam Doesn't Want You

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Government agencies are a haven for the mediocre because they don't try to get anybody better

by John Heilemann

They were the kind of kids companies fall over each other trying to hire—smart, personable, hardworking, well-groomed. That they went to Harvard didn't hurt, either. So it was no surprise that by April, most of the seniors in the discussion sections I was leading as a graduate student had jobs lined up after graduation. Nor was the roster of firms: Arthur Andersen, IBM, Morgan Stanley, CBS, Aetna . . . the usual suspects. What was strange was that one company—the country's biggest, in fact—didn't make the list: the federal government.

True, one woman was considering Capitol Hill; but she was the lone exception among nearly 20 others. Had they been the normal hodgepodge of art history, literature, and economics majors, I wouldn't have given it a second thought. But these were mostly government majors, enrolled in an upper-level course called "Politics in the Modern American State." And they were hardly apolitical or lacking in public spirit. Several kept full calendars housing the homeless, saving the rain forests, and freeing South Africa (often simultaneously). A couple were major players in student government. All of them took great joy in slogging through hundreds of pages on such burning topics as the evolution of bureaucratic structure at the Environmental Protection Agency (EPA). Washington naturals, right? But when I asked how many of them had thought about working in government, they looked at me as if I'd asked if they had considered becoming botanists.

Even if they had been interested, they said, no one had the faintest idea of how to go about getting a federal job. Did recruiters come to campus? Most thought not. Some said you had to take a test. Others said no. The only thing they could agree on was that they didn't care to find out. Excited as they were by the dynamism of the Kennedy and Johnson administrations—civil rights, the Peace Corps, the War on Poverty—those days were long gone. Said one: "Government isn't like that anymore."

Sadly, the view that "government isn't like that anymore" is far from unique among America's young "best and brightest." According to a survey by the National Commission on the Public Service (better known as the Volcker Commission), nearly 90 percent of college honor students never seriously consider working in government. No wonder: About the same proportion believe that government jobs are not "challenging or intellectually stimulating." Fully half are convinced that such jobs are, in fact, inherently monotonous and futile.

Washington has done remarkably little to counter these perceptions. During the Reagan administration, federal recruiting was actually designed to reinforce them. Reagan's team systematically undermined recruiting efforts just as it systematically ran up the federal deficit, and for precisely the same reason: to cripple the cause of government activism. By making the process of getting a government job as cumbersome, slow, and red-tape-riddled as possible, the administration guaranteed that even the most determined would-be bureaucrats would ultimately go scurrying off to interview at Salomon Brothers or, worse, to apply to law school. That, of course, was exactly the idea.

But what an astoundingly bad one. If government is to meet our basic expectations, let alone go beyond that to better our lives, it needs creative, intelligent, dedicated people to develop and run its programs. Government's greatest triumphs during the past century—the New Deal and the New Frontier—were wrought by the hands of the country's "best and brightest" college graduates. Back then, government work was as seductive as investment banking would become decades later. In the early sixties, eager young honor students lined up to buy train tickets to Washington; by contrast, in the early eighties, they

John Heilemann writes for The Economist *in Washington. Research assistance provided by Andrew Bates.*

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jumped on the shuttle to New York. In *Liar's Poker*, Michael Lewis described the scene outside Princeton's career services office when Lehman Bros. came to interview in 1982: "[It] resembled the ticket booth at a Michael Jackson concert, with lines of motley students staging all-night vigils to get ahead."

It's that kind of cachet that government has to regain if it's going to work well. And don't let anyone tell you that it can't because of its meager salaries. Outlandish pay may have helped fuel the investment-banking binge, but equally important was the *perception* that the jobs were hot stuff. Consider Teach for America, a widely heralded new program through which recent college grads work as teachers in disadvantaged neighborhood schools for two years at salaries of $18,000 to $29,000 per year, depending on the district. To attract applicants, Teach for America's founder, Wendy Kopp, touted it around the Ivy League and other top schools as "highly selective" and "extremely competitive." Like magic, Kopp soon had 2,500 applications (for 500 spots) from kids who, a year before, might just as easily have ended up swapping stocks on the trading floor.

George Bush seems to understand this principle somewhat. Unlike his former boss, he values the civil service enough to have talked up its virtues. But despite efforts at improvement by his Office of Personnel Management (OPM)—the government's main headhunter—the recruiting system remains a shambles. Witness my former students. Agency outreach to campuses is still almost nonexistent. The job application process is so confusing that even college career counselors don't understand it. Just laying your hands on information about what positions are out there requires the investigative savvy of Bob Woodward and the patience of Job.

"When a student comes to me with some vague idea he or she might be interested in working for the federal government, I don't even know where to start," explains Anne Stewart, placement director at Syracuse University's Maxwell School of Public Affairs and Citizenship for the past 13 years. "The recruitment process is such a maze—it's almost as if it was set up to keep good people out."

Devine intervention

It wasn't always this way. During the fabled first 100 days of Franklin Roosevelt's administration, the president's lieutenants recruited with a personal zeal that bordered on the missionary. "With each prominent New Dealer acting as his own employment agency," writes historian Arthur Schlesinger Jr., "Washington was deluged with an endless stream of bright young men." John Kennedy's underlings did the same, and so did the president. "Let public service be a proud and lively career," Kennedy said, and college students listened. The number of graduates applying for work through the Civil Service Commission, as OPM was then called, doubled under JFK.

Roosevelt and Kennedy understood that the bureaucracy, despite its shortcomings, could do great things. Under them, at times it did. But for that to happen, people of passion and creativity have to be assembled. And this need goes well beyond the political appointees and members of the senior executive service. There are, after all, only about 10,000 of those plum jobs in a federal civilian workforce that has topped 3 million ever since 1940. That ratio reveals something irrefutable: the top dogs can't do it alone. No matter how inspired—or inspiring—their visions, they are sure to be frustrated if carried out by mediocre hands. For truly good government, good people need to be spread across every department and grade level.

Although this logic is straightforward enough, logic was never one of Ronald Reagan's strong suits. Having roared mightily that "government is not the solution to our problem, it *is* the problem," Reagan directed his administration to conduct its recruiting efforts accordingly. At OPM, as he did elsewhere, Reagan put a frantic ideologue, Donald Devine, in charge. His mandate: institutional self-destruction. Obediently, Devine halted all recruiting by his agency.

The rest of the agencies were forced to follow OPM's lead. Arguments in favor of outreach, Devine would say later, were "basically a cover to get more money." Hence, departments were commanded to stop visiting campuses and developing recruiting materials. Advertising budgets were slashed. All of this was done selectively, of course. The military, defense agencies, and CIA went on as before, to the point where they were the only representatives of government seen at many colleges. Every other agency and program practically vanished from campus.

Reagan and Devine knew that the best way to kill off an undesired agency was to cut off its source of new blood. Take VISTA, a hated remnant of Great Society idealism that drops young people (earning subsistence wages) into poor rural and inner-city environs to teach and perform various sorts of social work. Faced with congressional unwillingness to do away with the program entirely, the administration ordered all recruiting materials destroyed and terminated all outreach efforts. For five full years, VISTA didn't even have a promotional poster. When one finally appeared, it had no phone number printed on it. According to Mimi Major, a top VISTA official in the Carter administration, "The Reagan people essen-

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tially said, 'If you want to be a volunteer, we'll make it as difficult for you as we can.' Now you need the skills of Houdini to figure out how to get in. . . . The agency never recovered."

VISTA was emblematic of how Reagan's indiscriminate antigovernment philosophy, when applied to recruiting, amounted to a recipe not for a lean bureaucracy but for a bad one. "The government does not need top graduates, administrative offices staffed with MBAs from Wharton, or policy shops full of the best and brightest whatevers," wrote Terry Cutler, one of Devine's assistants, in a 1986 op-ed piece in *The Wall Street Journal*. "Government's goal should not be employee excellence but employee sufficiency."

Last year, 222 organizations interviewed students at Michigan State University. Only seven were federal agencies. Most of the U.S. government does a lousier job of recruiting than Taco Bell and DeKalb Swine Breeders, Inc.—both of which did make it to MSU.

By not shooting for both, the government ended up with neither. When Reagan left office, the bureaucracy was more bloated than ever, having actually *swelled* by 7.5 percent during his tenure. But worse, in the absence of any meaningful recruiting efforts, the quality of the civil service entered into what political scientist James Q. Wilson calls "a death spiral."

Evidence of that decline is largely anecdotal; it's awfully hard to prove that this year's newly christened bureaucrats are less competent or efficient than yesteryear's. But Pat Ingraham, a professor of government at the State University of New York (SUNY) at Binghamton who studied the matter for the Volcker Commission, argues that it cannot be denied. "I've talked with hundreds of line managers and administrators from practically every federal agency," she says. "And what I hear is that the quality of new hires is just getting worse and worse. The typical manager will tell you, 'It takes longer for [new employees] to do the work and it's not adequate once it's done.'"

A 1988 report called "Civil Service 2000," commissioned from the Hudson Institute by OPM itself, seconded that verdict. The purposeful neglect of government recruiting had, in effect, helped to bring on "a slowly emerging crisis of competence" in an array of federal programs. Reagan had shunned the goal of luring the "best and brightest," and what the government got instead, said the report, was "the best of the desperate."

Who, then, would have envied Constance Berry Newman, George Bush's choice to breathe life into a rigor-mortised OPM? Yet Newman, at the time a 28-year civil servant who began her career as a clerk-typist in the Department of the Interior, seemed to relish the challenge of resurrection. She quickly declared that "tremendous changes" were needed in recruiting methods throughout government, especially at her own agency.

"No longer will the government be able to sit back and wait for candidates for employment to present themselves and endure long delays before obtaining jobs," Newman told Senator David Pryor's civil service subcommittee early in her tenure. "[W]e are going to have to seek out employees, looking longer and harder and in groups where the government hasn't looked very much before." Obviously delighted by this piece of evidence that the Reagan administration was irrevocably over, Pryor replied: "Ms. Newman. . . . I don't get very excited about a lot of people who take over agencies, but somehow I think that you have what I call the RMA, the right mental attitude."

Judging by the initial flurry of activity at OPM that followed, Pryor's optimism seemed justified. The place was awash in new programs, many of them—in theory—right on target. To simplify the job-seeking process, agencies were given "direct-hire" authority to recruit for and fill certain positions on their own, sans OPM. To make information easier to get, a nationwide phone number was initiated, providing "up-to-the-minute" federal job listings. To compete with the private sector's slick marketing efforts, a $39.4 million campaign called "Career America," featuring a glossy brochure, was launched. It was an auspicious start.

But two years later, theory has yet to really become practice, and the recruiting system bears a distressing resemblance to the way things were. The best of Newman's ideas have been poorly executed; others that seemed promising on paper turned out to be less so once implemented. Mainly, though, OPM's

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recruiting drive has suffered from an acute disparity between talk and action—an abundance of the former, scarcely any of the latter. "Apart from cosmetics," says Syracuse's Anne Stewart, "nothing much has changed."

Spooks and swine

Nowhere is that more true than in the area with which Stewart and other college placement specialists are most familiar: campus outreach. Despite OPM's "encouragement" of individual agencies to hunt new talent aggressively on college campuses, few have done so. Indeed, according to OPM itself, almost 60 percent of the 236 federal departments and agencies have *no recruiting budget whatsoever*. And, of course, no budget means no recruiting. A recent GAO report drove home the point: In most schools' placement offices, the government is nowhere to be seen. Last year, 222 organizations interviewed students at Michigan State. Only *seven* were federal agencies. Most of the U.S. government does a lousier job of recruiting than Taco Bell and DeKalb Swine Breeders, Inc.—both of which did make it to MSU.

"We still see the same ones as before—the CIA, the NSA [National Security Agency], and the Pentagon," remarks John Hennen, an assistant director of placement at the University of Minnesota. "The military, too. Unfortunately, though, that's about it." As Andrew Nussbaum, a law student at the University of Chicago, pointed out in an op-ed piece this past October in the *Los Angeles Times*, you don't have to be antimilitary or antinational security to realize that such agencies "hardly exhaust the government's employment opportunities."

Ironically, OPM itself is a principal reason why many of what would probably be the most enticing agencies—like the EPA or the Agency for International Development—don't visit colleges to recruit. While OPM's recent reforms have allowed the agencies to hire directly, that's only true for certain hard-to-fill technical, scientific, and specialized positions. For the majority of management, administrative, and policymaking jobs, applicants must still go through OPM.

Perhaps even more perverse, those agencies that do recruit are often phenomenally inept at it. Two-thirds of them, according to OPM, treat recruiting as a "collateral duty"—that is, one for which no full-time staff (or staff member) is responsible. Usually this means that recruiting chores are handed out as a sort of booby-prize to those who lack the seniority or guile to avoid them. These hapless employees are sent forth thoroughly unprepared; more than half, says OPM, receive no training whatsoever for their mission.

The results are predictable. Almost any college career counselor can tell you about a common problem: The Underconfident Government Recruiter. "He'll come in and start apologizing immediately," explains Chuck Sundberg, a placement officer at UCLA. "'I know our salaries are uncompetitive,' he says, 'I know we're not glamorous.' Instead of talking about their strengths, they dwell on weaknesses." Another career adviser recalls: "We had a recruiter from the energy department who actually told several honor students that they'd be idiots to want to work in government. I couldn't believe it."

Neither could SUNY's Ingraham when she ran across another, only slightly less common archetype—the Ignorant, Rude, Obnoxious, Lazy, and Tardy Government Recruiter. "I had arranged for a recruiter from a federal agency—I shouldn't say which—to come to [campus]," she said. "We had nine students sign up, all bright, all interested in federal employment. He told them to gather for a joint meeting at 8:30 a.m. so he could talk about the agency before interviewing each of them individually. The students were there. The recruiter was not. He finally showed up two hours late, refused to reschedule appointments, and instead just gave a big group interview. He rushed through. He was gruff and unknowledgeable. And all he said was, 'You see, this is what I do. I go around and talk to people when I feel like it and if I don't no one checks and I pull down thirty-two-

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point-five a year and it's a piece of cake.' Then he left." Postscript: All of the students there that day ended up in the private sector.

The disastrous thing about the dearth of campus outreach—not to mention the kind of tragicomic episodes described by Ingraham and others—is that it leaves untapped an incredible reservoir of students who are interested in public service but aren't sure exactly what to do about it. "These are the kids who come in not knowing what they're looking for and, in the absence of any other viable alternative, will end up going private," says Lynn Wehnes, a career counselor at Harvard. "The corporate route provides them with the path of least resistance."

"In the private sector, it's so straightforward; they have brochures describing their jobs, they come to campus to talk to you, and you can decide," says Rebecca Slaven, a 1990 Vanderbilt grad who interned on Capitol Hill, liked Washington, and thought for awhile about coming back to work at an agency. "But with the government, you can never find anything out. The recruiting materials at school are vague and way too general. You try to get information directly and no one knows what's available. You ask them to send you stuff and it never comes. After a while, you just decide it's not worth it."

Slaven knows better than most just how frustrating "getting the low-down" on federal employment can be. Her congressional internship was with Senator Pryor, who during the summer of 1989 decided to see whether Newman's OPM was living up to its promises. Pryor did what Congress rarely does: investigate a problem directly—in this case by sending his interns out to roam Washington's federal corridors. Go to the agencies, he told them, try to find out what jobs are there, come back and tell me what you learn.

What they found, in Pryor's understated words, was that "the system is not operating smoothly." OPM's new policy was to send would-be civil servants directly to the places where they wanted to work, but it seemed no one had thought to inform the agencies. Personnel officers were brusque or absent; job listings were out of date; secretaries were frankly discouraging; many times the students couldn't even get past security at the buildings.

One intern, Libby Schnipper, was told by a disgruntled HUD staff member, "Look, you fill out the forms, we put your name into the computer, and we'll call you when it comes up." When, queried Schnipper, might that be? "Probably never." Another, Mary McLeod, says that when she visited the Department of Labor, a personnel staff member told her that unless she "knew someone" her chances of getting an interview were slim. "When I asked him how he got his job, he said, 'My mother works downstairs.'"

Meanwhile, J. D. Walt, then a young staff member for Pryor and currently a law student at the University of Arkansas, was dispatched on the most daunting of assignments—OPM itself. Daunting because the job information center at OPM's Washington headquarters has for years been notorious for its mind-numbing inefficiency. "It's pure hell over there," says Mary Ellen Glynn, a former legislative assistant on Capitol Hill who tried getting job information from OPM when she first came to Washington in 1987. "It's just form after form after form, all essentially indecipherable without some sort of secret code book. Long lines, unhelpful people, totally useless. I went in there at least three or four times, and I still don't have a clue about how you go about getting a federal job."

Hard to believe, but Walt found it worse than that. "They've got these computers that are supposed to answer your questions, but don't," he told me. "So I get in line to talk to one of the assistants. All of a sudden she looks up and says she's closing and that the last person she was going to wait on was the guy in the pink shirt. He was right in front of me. So I decided to wait, because I'd come all the way across town and all. When I got to the window, she pulled the partition right in my face, without even saying hello, goodbye, or I'm sorry. I was furious."

Well, I say to Walt, arbitrary cut-off points are part of life, you know, it happens to everyone. "At 2:30 in the afternoon?" Oh.

It's tempting, of course, to dismiss the accounts of Pryor's interns as petty complaints. But they make a simple point: Recruitment is still not high priority at the agencies. When someone who sits five floors below Director Newman is closing up shop at 2:30 p.m., the message is obviously not trickling down.

Lines of resistance

Confronted with this observation, OPM's response to Pryor was, essentially, give it time. Now, a year later, Marsha Frost, deputy chief for affirmative employment at OPM, tells me, "Those sorts of things are unlikely to happen today." As for the lack of information on campus—arguably more critical, since that's where most students will make their first career decisions—she points to the "College Hotline" 900-number and says things are much better. I decide to see for myself.

My first stop is OPM. It is, for one thing, more colorful than I had expected. The countless job listings and other notices that fill the glass cases on the walls are a rainbow of blue, yellow, pink, and green. Several bulletin boards are blanketed with the aesthetically pleasing pages of the "Career America"

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brochure, which pictures a remarkably racially balanced lot of young workers demonstrably enjoying their jobs. Their smiling faces contrast noticeably with those of the would-be civil servants scouring the job listings and squinting at the interactive computer terminals.

"How long have you been at this?" I ask a job seeker in his mid-20s. "Nine months," he says, "I'm about ready to give up. I keep sending out these damned applications and nothing ever comes back. I haven't had a single interview yet . . . and I've got a college degree." Several others make similar comments; why will become clear to me later.

After waiting in line to talk to the woman behind the infamous information counter (who is pleasant and perfectly helpful), I return to jot down a few job listings. The array of postings—all in one huge display case—is staggering, running from autopsy assistant and air traffic controller through grievance analyst to phlebotomist and police officer. I make note of 10 openings at random and leave.

Next it's a whirlwind tour of the agencies—IRS, Commerce, Energy, Treasury. I quickly find that despite each department's different function, their personnel staffs seem to have been trained by the same manual. Its first rule, I surmise, must be "Treat all potential job applicants with complete indifference." As I lean over the front desk in the Treasury Department's personnel lobby, the young woman sitting behind it chats on the phone with her boyfriend. I shuffle my feet. Elsewhere in the office, a middle-management type experiments with a different sort of recruiting technique—aggressively flirting with his secretary. Fifteen minutes of throat-clearing later, I am informed that I should come back next week.

The other agencies are somewhat more promising. At most of them I am directed to the job vacancy listings. Unfortunately, they appear to require that code book Mary Ellen Glynn was talking about. The bits that I can understand provide slim comfort. "Promotion Potential: None" is stamped across the top of at least half of them. "Open to [this agency's] employees only" is also common. Many are out of date, the application deadlines having passed days—or weeks—earlier.

The job descriptions themselves are written in dreadful bureaucratese. A program analyst vacancy at the IRS is detailed thus: "Incumbent is responsible for developing and issuing instructions, procedures, and forms necessary for field program execution; reviewing and analyzing the impact of complex cases and those requiring National Office examination plan approval; assists in planning, evaluation, and implementation of nationwide programs for exempt organizations."

Discouraged, I return to my office to phone about the jobs I learned about at OPM. The response is unanimous: 10 calls, 10 positions filled long ago. The most recent? That of a fishery biologist at the Federal Energy Regulatory Commission, taken nearly two weeks earlier. The oldest? That of an asset information systems development manager with the Customs Service, filled about six weeks ago. The most telling? A supervisory auditor slot at EPA, which, it turns out, never open to nonagency applicants in the first place. Why, then, was it posted at OPM? The woman at the other end of the line replied: "I have no idea."

The point here is not that government agencies are often staffed with apathetic know-nothings or that someone should make sure that vacancy listings are kept current (although both those are true), but that to the eager student interested in serving the public interest, whether temporarily or for a career, the whole system must seem a hopeless quagmire. Before he even applies, he has tangled with a government that lives up to the most outlandish stereotype of confusion and rigidity ever offered by Ronald Reagan and his conservative cronies.

Reach out and touch no one

And this is only for the lucky few who personally brave Washington in search of professional fulfillment. The rest, stranded at their schools and probably not among those fortunate enough to talk with a competent government recruiter, are left with OPM's great hi-tech hope: the automated College Hotline. According to the "Career America" brochure, calling it is "your first step to begin learning about the exciting public service career that awaits you." If, however, you've ever dealt with one of these touch-tone systems—inescapable nowadays when calling banks, credit-card companies, or Amtrak—you know it's more likely to be your first step to ripping your phone off the wall.

You call anyway. *Welcome to Career America's College Hotline, a summary of career opportunities for college students and graduates. You will be charged 40 cents per minute for this service.*

Terrific. Recruiting tool as revenue enhancer. That the government expects students to *pay* for the privilege of being electronically recruited says a great deal about what's wrong with government recruiting.

Career America—find out why the U.S. government is becoming the first choice. . . . For general information on federal employment, press 1. For a list of federal career opportunities, press 2. To hear agency recruiting messages, press 3. To repeat this message, press 8. Beep. You have chosen to get information about federal employment. The federal gov-

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ernment is an equal opportunity employer. For information about federal salaries and benefits, press 1. For information on how to apply for federal jobs, press 2. For information on student and intern employment programs, press 3. To repeat this message, press 8. . . .

On and on this goes, menu after menu after menu. OPM estimates that the average call to the Hotline should last between four and five minutes, though no hard data is available. But each of my calls took more than 10 minutes, creating two questions for every one answered. What did I get for my eight dollars? Concrete information was scant; for example, fewer than a dozen agencies had recruiting messages on the Hotline. And although I left my name and address after the appropriate beep, the packet I requested in September on government careers in writing and public affairs has yet to arrive as of this writing two months later. Even allowing for glacial mail service, it's fair to say, in "Doonesbury's" phrase, that "there're still a few bugs in the system."

For all its flaws, however, the College Hotline is terribly clear about the application ordeal that lies ahead for any student who, after all this, decides the bureaucracy is still for him. The centerpiece of OPM's innovations is a new civil service exam called ACWA (Administrative Careers With America), designed to restore "merit hiring" to a system widely criticized for lack thereof (its forerunner, the Professional and Administrative Career Examination, was dropped in 1981 because it allegedly discriminated against minorities). In addition, ACWA was created to help "simplify" federal employment policy.

It hasn't. In fact, it has created yet another obstacle for students who have, by this time, already cleared quite a few. Those planning to take the test (actually one of six tests covering the majority of jobs that liberal arts majors might want) this fall had to register by early October, well before many angst-ridden seniors had set foot in their college placement offices. Worse, says Harvard's Lynn Wehnes, OPM has informed colleges that this may be the only time the exam is offered this academic year. "That means a lot of our kids who might have been interested will be out of luck," she comments. "Tell me how that makes sense."

Other absurdities abound. Students who pass the test, for instance, have their scores put on a rank-ordered list that agencies use to pick people to interview. But the students have no say about *which* agencies they might like to work for. Moreover, the applicant's name often remains on the list for up to nine full months without prompting any agency response—plenty of time for him or her to be lured away by a private company's recruiter who can hire on the spot. Even the test's high scorers are frequently completely ignored,

"Why go through the hassle of taking this test when, number one, the only job you might get offered is with some agency you have no interest in, and number two, you might not hear for almost a year?" wonders Phil Kehoe, a senior at Berkeley. Kehoe thought about taking the writing and public information test, but then reconsidered. "I'm not going to put my other career options on hold and then end up with the Agriculture Department calling."

Syracuse's Anne Stewart suspects that Kehoe is not unusual. "Again, the comparison with the private sector is instructive," she says. "There it's very cut and dried. You send a resume, you get an interview or you don't, you get an offer or you don't. Here you take a test and then God knows what happens. . . . I can't tell you the number of students who simply aren't willing to wait until May to find out whether they have a job or not. . . . I think [ACWA] is going to deter a lot of kids. The tests are not a solution; they just add to the problem."

ACWA's defenders argue that without it, the merit principle that supposedly guides federal hiring would be thrown out the window—that the premium placed on "knowing someone" would become astronomical. But the idea of a pure "merit principle" determining government hiring policy has always been a naive dream, albeit an attractive one. The reality? *More than 30 percent* of the civil service hirees in any given year go through "excepted authorities," meaning noncompetitive channels arranged by agencies to bring in particular people.

Custom tailoring

Still more common are mid-level positions filled competitively in theory but far from it in practice. A GS-14 at the Department of Education explains: "If an agency has a lower-level employee in mind for some spot that's opening up but that has to be posted and 'competitive,' they just tailor the job description so only that person's [application] fits it. It's all coordinated. You don't know this until you've been in government awhile, but there's this modus operandi that's usually unspoken but very clear."

Such shenanigans are inevitable under *any* recruiting and hiring system. The goal, therefore, should not be—cannot be—the elimination of "knowing someone" but rather its democratization. A fair policy would give college students of all classes and backgrounds the chance to "know someone," especially through summer internships and cooperative programs. It would also feature deferrals for government student loan payments so long as the fledgling civil servant's salary fell below some limit, say $18,000 per year. It might even, as Rep. Pat Schroeder has

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suggested, include a ROTC-style scholarship program offering full or partial tuition to students willing to commit to a stint in a federal agency. The military shells out more than $385 million a year for ROTC; the bureaucracy, at least as vital to the national security, should do the same.

The ideal policy would not, however, include ACWA. OPM should follow the logic that led it to give direct-hire authority to the agencies for certain jobs to its natural conclusion. A decentralized system in which agencies are responsible for their own recruiting makes infinite sense. Without ACWA and OPM as a central and ineffective employee clearinghouse, the agencies would be forced to develop their own recruiting strategies. And students might be spared some of the dispiriting chaos they now encounter.

Even so, OPM would still have important work to do, especially in refurbishing the tattered image of government jobs. Contrary to Paul Volcker's widely held view, federal wages are not keeping students away, the federal image is. "I'm not going to tell you money isn't important," says Mary McLeod, "but experience is a lot more important to me. I'd give up a big salary, at least for a while, if I thought the government would challenge me and teach me. But I just don't think that's true. . . . Government work is mostly pushing paper."

Sorghumsomething

That perception, shared by virtually every student and not a few bureaucrats, needs to change. And change it can. Management consultants, who spend most of their waking hours poring over spreadsheets in airport terminals, are nevertheless worshipped by business school students far and wide as jet-set powerbrokers. Real estate speculators, who lately have been spending much of their time scanning the want ads, are still seen as shrewd predators by many undergraduates. And then there's corporate law, a patently dreary profession that, thanks to "L.A. Law"'s razzle-dazzle editing and plethora of perfect teeth, thousands of otherwise intelligent young men and women think of as the epitome of glamour and panache.

If these tedious occupations can seem sexy, why can't government? Perhaps what's needed is a television series like "L.A. Law" focusing on the bureaucracy—on, say, the Agriculture Department. Call it "Sorghumsomething." Or a series of ads modeled on the military's: "Be all that you can be, in the Treasury!" To make light of such publicity tactics is not to dismiss their real potential. Those who have served in the armed forces may chuckle when they see one of the "Be all that you can be" ads, but the campaign has unquestionably helped improve the quality of the all-volunteer military. That kind of aggressive marketing could help the civil service, too. It certainly couldn't hurt.

And it might not even be such a tough sell, because—truth be told—a great many government jobs are not boring at all. "I never thought I'd find anything in government that would let me combine my interests in international affairs, business, and trade," explains Julie Rauner, a desk officer for Latin America at the Commerce Department. "But boy was I wrong. I love it—I can't imagine anything in the private sector that would give me the same sense of accomplishment."

Many government positions hide their merits behind bland job descriptions. Leonard Newmark, recently hired as an auditor at GAO, tells me how one of his first assignments was "figuring out ways to increase the Customs Bureau's disposal of asset forfeitures." What that involved, it turns out, was writing, producing, and directing a video for the bureau on how it should go about selling off the ill-gotten possessions of convicted drug dealers in order to turn the highest profit in the shortest time. Important work, and far from what most of us think of as "auditing."

And then there's Lisa Carlos. In her second year out of college, Carlos landed a position as a "program analyst" with the Department of Education's migrant education office. Her official job description—"to conduct site visits of federally funded projects and to check compliance with regulatory and statutory guidelines and provide technical assistance"—is all eyeshades and fine print. But to listen to Carlos, the job is everything but.

"I took one trip out into the middle of Indiana. It was cucumber season and we went out to a migrant farm camp, where the poverty was worse than anything I had ever seen before—worse than in Mexico. . . . The principal of the school in the nearby town was having funding troubles and he couldn't keep all of his buses running. But with fewer buses, it meant the migrant kids filled them up before they got into the more affluent neighborhoods. . . . It was suspected that the school had decided to have the migrant kids kept out of school by saying they had head lice. We were there to make sure these kids were able to get an education, as they were entitled to under the law.

"It was on that trip that I first realized how critical it was to these people that I was there—that there be bright, motivated people there to help them."

In the recruiting battle against the private sector, people like Carlos, Newmark, and Rauner can be the government's secret weapon. Their jobs—engrossing, inspiring, important—are by no means extraordinary in government. If the word gets out, maybe the best and the brightest will begin to take a second look. □

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GOOD-FOR-NOTHING SAMARITANS

Charities are as dependent on federal handouts as the worst welfare abuser

by Walter Shapiro

Infrequently, far too infrequently, I have what I like to call a "Matt Scudder" day. This ritual observance is named in honor of a down-at-the-heels retired New York City policeman, a recovering alcoholic, who is the hero of a series of engaging detective novels by Lawrence Block. One of Matt Scudder's idiosyncrasies is that whenever he receives a fee he immediately tithes in the form of $1 contributions to every panhandler who accosts him amid the beggarly bedlam of the streets of Manhattan. My charitable impulses are, alas, far more limited. But I do like Scudder's notion of giving folding cash to mendicants, regardless of their pitch or persona, regardless of whether they will use the money for dinner or drugs, regardless of whether they have the right stuff to join the "deserving poor."

One reason I find this scattershot method of individual philanthropy so appealing is that I know something about how major charitable institutions operate; I studied them for an abortive foundation-backed project in the mid 1970s. My research led me to the impolitic conclusion that the best way to aid the poor and the downtrodden in America was to pay one's full share of taxes—and the devil with the cherished charitable deduction. I discovered that with the exception of a few admirable, religiously motivated organizations like the Salvation Army, most charities were infinitely more interested in leveraging private donations to obtain federal grant money than in directly aiding the afflicted. How much more alluring it was to attend conferences on voluntarism and the independent sector than to minister to the needs of drunks and druggies who practice loathsome hygiene. No, the majority of the money was not squandered on new levels of bureaucracy and lobbying state legislatures. Instead, the once-voluntary agencies mounted overly ambitious programs that could not survive, even at a reduced level, without steady federal support. As a result, most United Way agencies, in particular, became as addicted to a regular government check as the most inert welfare mother.

This 1970s habit of institutional self-aggrandizement left the charitable sector woefully ill-equipped for the rigors of the Reagan revolution. Just at the time when private caseloads were soaring, the charities themselves were reeling from draconian cutbacks in their own funding. This double whammy made a mockery of the nostalgic right-wing myth of a nation of voluntary soup kitchens and modern-day Lady Bountifuls.

Having failed at the task myself, I kept waiting for the inevitable book to be written about the limitations of American charity and philanthropy. Sure, there were a few slender volumes recycling familiar tales

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of charity fraud and warning givers to beware of organizations that spend 70 percent of their money on fundraising, but such fly-by-night operations are the easy targets, the kind of subjects that mobilize the talents of blow-dried investigative reporters on local TV news shows. What has always been needed was a serious book that would look at the most reputable charities and foundations (the sort who recruit the likes of Liddy Dole as their presidents) and cut through the self-congratulatory rhetoric of the paid publicists of this vast eleemosynary empire. Such a mythical study would look at results instead of lofty claims. It is, as I know first-hand from youthful folly, a difficult world for the gimlet-eyed outsider to crack. And that is why I am sympathetic to Teresa Odendahl's intentions in *Charity Begins at Home*,* even as I am disappointed by her awkward and uneven efforts to depict the self-interested behavior of what she calls "the philanthropic elite."

It is hard not to share Odendahl's ill-concealed rage as she watches multimillionaires smugly avoid taxes by endowing symphony orchestras and prep schools, while not deigning to notice social problems more serious than the absence of a Van Gogh in the Tulsa art museum. Billions for Harvard, while the homeless must depend on the vagaries of my Matt Scudder impulses. But beneath the veneer of a serious academic study, *Charity Begins at Home* is really a chatty account of Odendahl's adventures as a nervous outsider among the mega-rich and their retainers. Her tone is often that of the scruffy graduate student trying to describe the folkways of society matrons and philanthropic patrons to her academic friends over a potluck supper and a bottle of California jug wine.

Unfortunately, Odendahl pays an unnecessarily high price for her access to the charitable crusades of the wealthy. She shields the identity of her upper-crust informants so completely that she transforms them into bland composites spouting boilerplate sentiments. It is easy to imagine her frustration, after groveling for months to set up an interview, to have her research subject endlessly gush in full society-page blather, "I am so fortunate. I have just had the most wonderful things happen to me, and the most marvelous experiences with the people at the foundation." To her credit, Odendahl admits that "many of those interviewed began by giving only pat answers to our questions but as the interview progressed became more thoughtful and frank." True, but such improvement was solely a matter of degree. The book continually jumps from these hard-won, but also hard-to-read, interviews to a series of heavy-handed feminist conclusions such as, "In general, female philanthropists are not liberated. Wealthy women risk losing more economic security and status than other women in contesting a system that privileges them."

Having failed to delve behind the surface banalities of the *Forbes* 400, Odendahl eagerly devotes two lengthy chapters to philanthropy she feels comfortable with: the politically left-wing and feminist foundations that have been established since the early seventies by the guilt-ridden children of trust funds. The problem is not with the goals of these funds (though pressing for neighborhood social change does seem a bit quixotic these days), but the attention given to a dissident movement of such limited scope: According to Odendahl, the alternative fund movement that began with George Pillsbury and the Haymarket People's Fund has distributed only $50 million nationwide over the past 15 years. But this digression is a prelude to Odendahl's own sense of personal betrayal when she, with radical banners waving high, went to work for a group called the Women's Fund of Colorado. Alas, the wealthy women of Denver and Aspen turned out to be just junior-league liberals; they balked at Odendahl's commitment to fund lesbian projects. Even after these Rocky Mountain lows, Odendahl cheerfully insists that she remains "committed to the idea that women of all classes can work together toward a better life for everyone."

Whew, I almost lapsed into a bit of nonconstructive criticism there. But, in truth, such cynicism is not fair. Odendahl set out to write a difficult book, gamely struggled and ultimately failed. Ideally, she should brush herself off and try again, jettisoning some of her naive and painfully politically correct radicalism, as well as her self-defeating deference to the rich who are charitable enough to receive her. As for myself, I promise to hold Matt Scudder days a bit more often now that the weather has turned cold; it's not much, but at least I know into whose hands my money is going. □

**Charity Begins at Home.* Teresa Odendahl, *Basic Books, $22.95.*

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WHAT THE BELTWAY COULD LEARN FROM THE BIBLE BELT

Campaigns aren't horse races, they're moral arguments

by Michael Cornfield

You might think you've heard too much, not too little, about religion in politics. But, quick, to what denomination does Jesse Helms belong? What's the percentage of evangelicals in the North Carolina electorate? Don't know? You are forgiven, since the news media act as though the Bible and its various believers and interpreters matter only to inhabitants of an insignificant Beltway symbolically cinched around Dayton, Tennessee, where the Scopes trial occurred in 1925.

You are not forgiven, however, if you don't care. In *Under God*,* Garry Wills contends that we pay a heavy price for the secular Beltway's perspective on American elections. Unless we look at religion, especially evangelical Protestantism, Wills contends, "we cannot understand our corporate past; we cannot even talk meaningfully to each other about things that will affect us all (and not only the 'religious nuts' among us)." To Wills's mind, by ignoring religion the press not only misread the key events of campaign 1988, but also abetted the moral enervation of America's democratic dialogue.

The Beltway perspective—as evidenced by the recent campaign opuses of Sidney Blumenthal, Paul Taylor, Jack Germond and Jules Witcover, and Roger Simon—tends to turn campaign coverage into stories about journalism. Everything becomes grist for Fred Friendly roundtables. The pattern holds for Jesse Jackson (Do We The Media have a double standard?), Michael Dukakis (Did Maureen Dowd's Sasso story and Bernard Shaw's debate question range beyond Our Professional Objectivity?), and George Bush (Should We The Media check these television ads for accuracy?). Media ethics is an interesting and important topic. But it's a selfish stand-in for understanding campaigns, and it inclines thoughtful people to identify with the journalists' perspective, and, thus, toward the wrong kinds of reforms.

By contrast, Wills cuts to the essential quality of presidential campaigns. He regards them as an interplay of moral arguments. The contents of the arguments matter more than who wins and who loses the final vote count (not to mention the synthetic vote counts along the way). A presidential campaign, he argues, is more significant as a communal ritual than as a preface to government. Wills's approach is a tonic to political scientists, who have wailed for years at reporters and other campaign junkies that most voters pay little attention to the election process, and the few who do use it to reinforce their pre-existing views, not to genuinely make up their minds. Wills recognizes that candidates' talk and imagery, along with their public reception, tell us how millions of Americans want to live.

Candidates and their teams craft campaign messages according to the competitive strategies that reporters like Germond and Witcover dissect, but Wills holds that the speeches, ads, symbolic acts, and remarks to the media that we remember—"Follow me around. I don't care, I'm serious. If anybody wants to put a tail on me, go ahead. They'd be very bored."—we remember because they are also steeped in moral dilemmas. When a candidate wins name recognition, that means his campaign message has reached great numbers of people who grew up under similar influences and, like the candidate, seek either to conserve their formative world or to liberate themselves from it. Campaign events are thus, *foremost*, occasions to plumb American values.

Wills examines the cavalcade of arguments

Michael Cornfield teaches rhetoric and communications studies at the University of Virginia.

**Under God: Religion and American Politics.* Garry Wills. *Simon and Schuster, $24.45.*

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through a combination of biographical reporting, textual exegesis, and intellectual history. In past works, he unpacked the Declaration of Independence, Nixon's "Checkers" speech, and Ronald Reagan's career. In this book, his chapters on Gary Hart are characteristically wide-ranging, featuring interview material from Hart's college classmates and teachers and the suggestive juxtaposition of an excerpt from Hart's spy novel with Hart's romanticized description of George McGovern in 1972. And Wills traces the development of the former senator's boyhood affiliation, the Church of the Nazarene, to demonstrate that this "cult" is not so far removed from the protestant mainstream as the word suggests—not on attitudes concerning adultery, at any rate.

Gary Hart rebelled against his Nazarene upbringing and adopted a high-risk self-image of the kind many Americans like to see in escapist movies, but not in presidents. Faced with the choice *The Miami Herald* thrust upon him, Hart might have won support by confessing his sins and asking forgiveness—in short, by returning to his roots. Alternately, Hart could have broken new ground and admitted adultery while declaring it irrelevant to his race for the presidency. But by failing to make a moral argument—by turning on the press instead, shifting his story, and clamming up about his character—he unleashed the doubts Americans had harbored about him since 1984. "Where's the Beef?" meant, "Who is this man? Where does he come from?" "It was not moralism that did in Hart," Wills concludes, "but morality, or the quest for it. He had not defined himself as a responsible agent."

Elsewhere, Wills finds gold by locating Jesse Jackson within the black milliennialist tradition, thus making it clear how the Beltway impulse to see Elmer Gantry at the first hint of moral shortcoming in publicly active religious figures does Jackson injustice. Wills shows that those who oppose Jackson need to make a stronger argument against the Reverend than the charge of charlatanism, because that charge does not apply to the millions of Americans—including white Iowa farmers—for whom Jackson's message resonates. Wills also provides searing profiles of Bush and Dukakis, as he did in an excellent documentary on the two nominees that aired on public television in the fall of 1988.

Unfortunately, Wills's writing style detracts from the influence his interpretations should have. He's an intellectual showboat, given to name-dropping and long footnotes with chapter and verse from the classics. By Wills's lights, it's not enough that Hart resembles Mozart's Don Giovanni; the comparison has to be buttressed by *Kierkegaard's* reading of that operatic archetype. For a man so sensitively attuned to the

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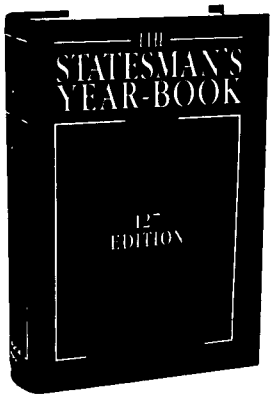

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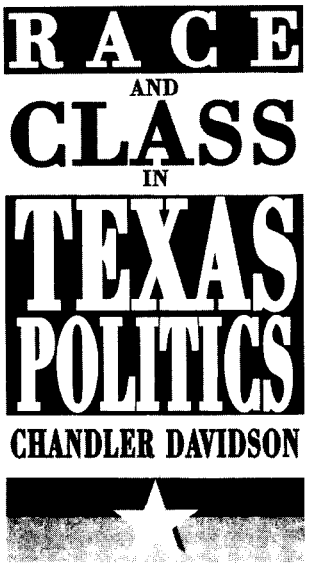
structure of other peoples' arguments, Wills is recklessly tone-deaf regarding his own. Backwards runs the *Time* essayist's logic more than once, especially when he zooms back to earlier centuries to make a point.

Worst of all, in *Under God* Wills strains his annotation of the 1988 presidential campaign through the filter of his own political philosophy/theology without making his first principles explicit. For a while as I read, I thought he was calling for a liberal religious leader, a candidate capable of closing the divide between evangelicals and progressives that Mencken and Darrow opened when they savaged The Last Populist, Williams Jennings Bryan. This divide, replicated every Sunday morning on television by the choice between preachers and talking heads, is the Democrats' albatross. But hey, Wills is a William F. Buckley protege who titled his autobiography *Confessions of a Conservative*. What's going on?

Wills attacks the liberal idea that bully pulpit presidents can do good via an elliptical and zealous discussion of Henry Steele Commager and Arthur Schlesinger Jr. True, Wills calls for politically engaged sermonizers, but he'd rather have them in jail than in the White House. His favorite recent president remains Eisenhower. Wills's position would be more effective if he instead refuted the president's role as an economic activist; in *Under God* however, as in previous works, such issues elude his gaze. Ultimately I think Wills does want a liberal religious leader, but only for a sparring partner.

On cultural issues, however, Wills strikes me as more moderate. He reminds us, for instance, that the disestablishment clause of the First Amendment does not discourage religious people from bringing their faith to the fore of the civic dialogue. Nor does the "wall" between church and state provide a legitimate excuse for Capital habitués to dismiss religion. You don't combat the degeneration of campaigns with technical fixes, but by shifting your priorities from the horse race and the tube to beliefs and expressions. Voters' cynicism will wane when they find candidates who give them something to believe in or reinforce their own long-held beliefs. The news media can help by according more coverage and serious skepticism to the moral arguments that surface during presidential campaigns.

Wills sees the next decade as a time when religious fervor will increase in America. His discursiveness, while annoying at times, does bring out the moral dimension of political campaigns. That's why *Under God* ought to be as well-thumbed in the 1990s as *The Making of the President* and *The Selling of the President* were in their day. □



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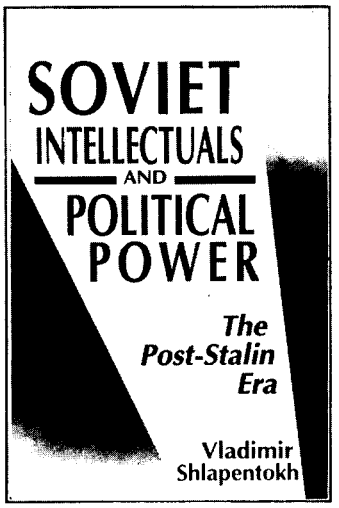

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Dishonest Abe

How LBJ's favorite Supreme Court justice became the prototype of Washington's valueless lawyers

by Allan J. Lichtman

Imagine a man with great abilities and strong convictions, but few, if any, principles. He would lack the internal gyroscope to harmonize his disparate beliefs or guide his personal conduct. Ends would always sanction means, and contradictions could be rationalized or simply ignored.

This is the Abe Fortas that emerges from the pages of Laura Kalman's carefully researched and well-written biography of the public man.* It is precisely this kind of man who would falsely believe that he could simultaneously serve the most powerful private interests and promote the public good.

The Fortas story provides an inside perspective on the transformation of American public life that followed World War II and proves that history can still teach by moral example. Unfortunately, the reader has to work too hard to find lessons that should be readily evident after 400 pages.

Kalman's book is notable for its thorough research, narrative depth, and intelligent commentary on Fortas's personal style and philosophy (or lack thereof). But the big picture is often lost in the detail, a weakness that is made more glaring by the lack of a thematic introduction or a synthetic conclusion. Her book also follows by just two years another lengthy Fortas biography, Bruce Allen Murphy's *Fortas: The Rise and Ruin of a Supreme Court Justice*, that traverses much of the same territory. Both authors combed through vast archival material, but Kalman had privileged access to Fortas's personal papers. Her book contains new information and analysis, but no startling revelations or striking new interpretations.

Allan J. Lichtman teaches history at American University. He is the co-author of 13 Keys to the Presidency *(Madison Books, 1990).*

**Abe Fortas: A Biography.* Laura Kalman. *Yale University Press, $29.95.*

The strength of Kalman's book is the depth in which she traces Fortas's odyssey from New Deal whiz kid to fallen Supreme Court justice, expertly revealing his different roles and personae. After a brilliant career at Yale Law School, Fortas quickly rose to the top of the New Deal bureaucracy, becoming undersecretary of Interior at age 31. After World War II he fluidly made the transition to power lawyer and LBJ confidant. But he is largely remembered as the first Supreme Court justice to resign under allegations of improper conduct.

Fortas, Kalman shows, was the preeminent moral relativist. For five years he loyally served Secretary of the Interior Harold Ickes. But just after leaving Interior he had "a convenient lapse of memory" when called upon by Congress to corroborate Ickes's charges that President Truman's appointee for undersecretary of the Navy had sought to trade political contributions for the leasing of oil rights. Fortas helped Lyndon Johnson steal the senatorial election of 1948 and promoted voting rights for minorities. He advised President Johnson on domestic and foreign issues, drafted speeches, and even helped with legislation while serving on the Supreme Court.

Relativism likewise guided Fortas's approach to the law, both as advocate and arbiter. As the managing partner of Arnold, Fortas, and Porter, he felt he could in good conscience represent polluters, chiselers, and cigarette companies, because everyone deserved representation, no matter their character or practices. Never mind that other former New Deal lawyers—Benjamin Cohen, Joseph Rauh, Clifford Durr—had chosen careers that did not focus on aiding the rich and powerful.

As a Supreme Court justice, Fortas tended to reach decisions based on his personal convictions

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then to search for justification in precedent and social science. His brilliant advocacy made him one of the most influential members of the Warren Court but also earned him the enmity of purists like Justice Hugo Black, who believed that a consistent judicial philosophy should guide decisions of the Court.

Much of the significance of the Fortas story lies in his transitional role in forging a new relationship between business and government and in the connections between his prior career and his downfall as a justice. These themes are not fully explored in Kalman's work.

The author fails to describe adequately the new Washington in which Fortas operated and the policy implications of his corporate practice. Prior to World War II, big business came to Washington largely to keep government off its back. During the war, business crowded into the capital for a different purpose: to gain contracts, concessions, and favors from the agencies that now directed the economy. And business stayed after 1945 to reap the enormous profits generated by the creation of a global economic and strategic system dominated by the United States. To cite one example: In 1945 the Export-Import Bank was given lending authority of $3.5 billion (more than one-third of the entire federal budget for 1940) to aid foreign purchases of American goods.

Corporate America successfully battled the few New Dealers remaining in government to get around the regulations adopted in the 1930s and to ensure that private enterprise, not public agencies, controlled the new economic order. By using the knowledge and connections they had acquired in public service on behalf of corporate America, former New Dealers like Abe Fortas and Thomas Corcoran ("Tommy the Cork") weren't simply continuing government's "coexistence with big business" that had been part of the New Deal. They were selling out the New Deal objective of placing the public interest ahead of purely private gain. Kalman largely misses the point that the Washington lawyer couldn't represent corporations during business hours and then change clothes and advance liberal ideals during his spare time. Those ideals were being shredded by his defense of clients' interests.

Of course, the corporate advocate could still promote social justice. Kalman details Fortas's exemplary pro bono work on civil liberties—work that did not involve the shaping of the political economy and that aided Fortas's career by building his reputation as an advocate.

It was Fortas's role as a Johnson adviser while on the Court and his financial arrangements with a businessman who was under federal investigation (and later was convicted of violating securities laws) that

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ultimately forced him from the Court. These were not lapses but logical extensions of his earlier career.

Kalman accurately links Fortas's problems to his obsessive secrecy, his concern for financial security, and his mistrust of Congress and the public. But his problems are also tied inextricably to his role as lawyer/fixer. Fortas had often used his inside connections to arrange *ex parte* contracts with government agencies. The value of such contracts was enormous: his clients could plead their cases without formal procedures or opposing views. It was but a small step for him to become the *ex parte* adviser par excellence to his old friend Lyndon Johnson. He could remain a back-room power in Washington while in his own mind keeping his Court life segregated. The public simply didn't need to know what it couldn't possibly understand.

In accepting a lifetime yearly retainer of $20,000 (about half his Supreme Court salary) from the family foundation of embattled entrepreneur Louis Wolfson, Fortas was engaging in the same kind of squeeze play that had helped make Washington lawyers rich. Troubled clients were usually willing to work out sweetheart deals . . . and no one but the lawyer and client needed to know the details.

Transcripts of the wiretap surveillance of Corcoran (conducted by the Truman administration from 1945 to 1947) show how Fortas teamed up with him to work the squeeze play on a financier trying to avoid prosecution for draft evasion. They hoped to extract great sums from the financier, some of which, the conversations suggest, would be diverted to a Selective Service director. But Kalman devotes only one line to that episode. More important, she generally fails to provide an inside account of what goes on behind the scenes at a litigation/lobbying firm like Arnold, Fortas, and Porter.

In assessing Fortas's fall, Kalman shows that he ultimately rejected the retainer from the Wolfson Foundation and returned the only payment he received. But she also notes that he held on to the $20,000 for several months, returning it only after the financier was indicted. By then the damage to Fortas's reputation was done.

We now have two good books that have devoted more than 1,000 pages to Fortas. But neither work fully recognizes the significance of his transitional role in American history, adequately probes the moral issues raised by his career, or fully illuminates the inside world of one of Washington's premier lawyer/lobbyists. Amazingly, there is yet more to say about Abe Fortas. □

Marketing and Advertising Regulation: The Federal Trade Commission in the 1990s, *edited by Patrick E. Murphy and William L. Wilkie*

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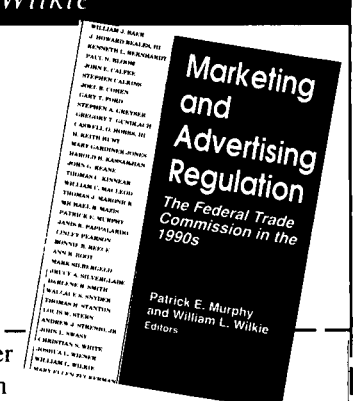

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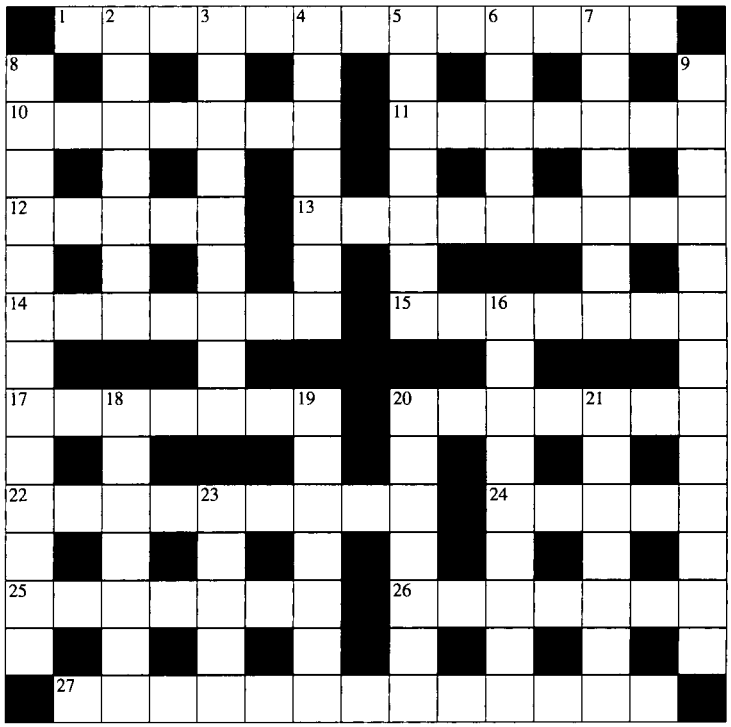
POLITICAL PUZZLE

by John Barclay

The numbers indicate the number of letters and words, e.g. (2,3) means a two-letter word followed by a three-letter word. Groups of letters, e.g. USA, are treated as one word.



ACROSS

1. He dressed three times in two-suit ensemble for top news source. (3,5,5)
10. Send back in sod mixture for singular result. (7)
11. Surprisingly met a god of Alaska transportation. (3,4)
12. Guide from South Carolina discharged. (5)
13. Unemployed sports figure takes name back around ten, changing gear. (2,7)
14. Place for car on the highway? (2,5)
15. One girl in 199 is outstanding. (7)
17. Admirable piano. (7)
20. Poet before international group is biggest hit. (4,3)
22. Grand juries in bad credits. (9)
24. Training tool (5)
25. Negative identification hidden therein. (7)
26. Picturing *gamin* running around soldier. (7)
27. Barbie's friend takes bed and wine after direction for summer version of 1 Across. (13)

DOWN

2. Hideous start with tea for place of refuge. (7)
3. West given sterling example of Olympic event. (9)
4. Wrongly detains alternate. (7)
5. Common mice chased after football player. (7)
6. Groan about kidney, for example. (5)
7. Santa's locomotion troubled his legs. (7)
8. Senate leader improperly cuts twice into pacts. (13)
9. Carelessly flings a camera and patriotic symbols. (8,5)
16. Unregulated PAC rammed Defense position. (5,4)
18. Banks take questionable action to make nerd lie. (7)
19. Hitter running around first base is 6 Down to some in Chicago. (3,4)
20. Mercenary thrown in ashes. (7)
21. Less favorable climate for mountain. (7)
23. Echo rebounding in front of Northern Senator. (5)

Answers to last month's puzzle:

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POLITICAL BOOKNOTES

Small Places: In Search of a Vanishing America. Thomas H. Rawls. *Little, Brown, $16.95.* After Tom Rawls visited Fulton County, Pennsylvania, several years ago, he went home and turned out a sympathetic portrait of the rural redoubt and two "outsiders"—this reviewer and his partner—who were struggling to move from daily journalism to full-time farming.

The piece appeared as another of the "Small Places" that Rawls was writing up for *Harrowsmith*, a magazine about country life that he edits in Vermont. Rawls found Fulton County altogether charming and noteworthy for a local ethos that proudly treasures its ruralness even as the disconcerting fringes of the eastern megalopolis creep ever nearer.

The essence of the piece was that the people of Fulton County, whose own Chamber of Commerce trumpeted the theme "country still is country," deserved praise for resisting the pressures of Californication that have debauched large swatches of America's rural landscape.

Rawls's point, however, was lost on the locals, and he soon became Public Enemy Number One in Fulton County. The local weekly newspaper excerpted his piece under a front-page headline, "COUNTY PANNED IN YUPPIE MAGAZINE," and all hell broke loose.

For weeks the newspaper printed letters from indignant nitpickers who expressed varying degrees of contumely for this itinerant editor's offense of describing reality as he saw it.

Time has a way of healing, and maybe today, with the inclusion of the Fulton County piece in this collection of Rawls's "Small Places" columns, the local critics will be less defensive, for compared with other small places, Fulton County is a gem.

As individual magazine pieces, Rawls's reports made interesting and even compelling reading for their bright writing and insightful observations. Better still, collected in book form, the essays become an important piece of reportage about the physical and emotional changes that are sweeping across the national outback.

This is not a woolly theoretician's prescription for stemming or reshaping change. Though written during a time when mean-spirited Reaganism was attempting to kill the federal programs that provided some small developmental uplift to rural America, Rawls's pieces are free of political cant.

They are instead a rather mournful recitation of many factors that contribute to the decline of those rural communities that we still romantically identify as the bastion of what's good about the USA. In some places, the locals themselves are the problem—insular, resistant to change, defensive and suspicious, unimaginative and yes, even mean and spiteful. In other places, it is the outsiders, the "weeds" Rawls talks about, who cause trouble.

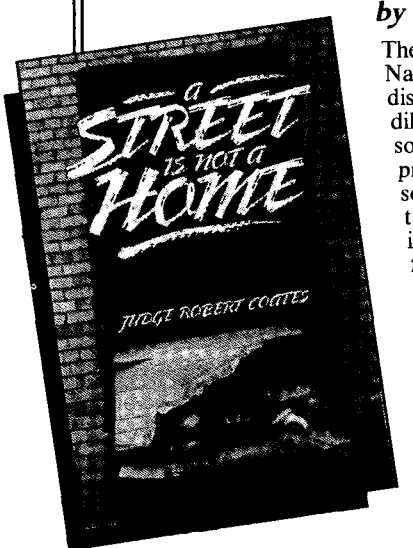
Rawls has a theory that modern urban America has created a class of weeds—hardy souls who, much like their botanical counterparts, seek new environments in which to flourish or simply dominate. The weeds who appear in the "Small Places" columns either have taken over or have meshed and made their contributions.

In Antelope, Oregon, the weeds were the disruptive Rajneeshees who intruded onto the landscape and openly warred with the locals. In Point Reyes, California, the weeds were outsiders who helped the locals understand the importance of land preservation. In Missouri, they were monied absentee property owners around the Lake of

A STREET IS NOT A HOME

Solving America's Homeless Dilemma

by Robert C. Coates



The homeless crisis isn't hopeless! National authority Robert C. Coates dismisses opinions that the homeless dilemma is one that cannot be resolved. Writing in clear, readable prose, he cuts through the medical, social, legal, and religious jargon that customarily surrounds the issue, approaching homelessness from the perspective of basic strategic planning. This book dispels many myths about the homeless crisis and clearly illustrates that the vast majority of America's homeless *can* be helped.

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the Ozarks whose need for flood protection led them to ignore the needs of poorer folk in the upstream town of Osceola.

In Holmes County, Ohio, the weeds were the Amish, who created an edenic way of life, which Rawls describes with tender and respectful awe. In Nye, Montana, weeds were the hard-rock miners who came to work in a huge platinum mine. Around Keuka Lake, New York, they were the outsiders who injected new hope and vitality into a sagging wine industry.

Through all of these pieces, however, runs a thread of lament about the changes being forced on rural America. The towns, he finds, are either dying or being killed. Many of the locals he meets are incapable of coping with change or confused about their place on the planet. And the outsiders too often come in and take charge, imposing the very values that made them flee the city in the first place, creating separation and tackying up the countryside.

"The intention today appears to be to improve small places rather than adapt to them," Rawls writes. "Increasingly, economic considerations have become more important than spiritual ones. A way of life gives way to making a good living. Perhaps growing up was ever thus, but I feel a terrible sadness about what is happening."

"Before this transformation, each individual rural community might have been limited, but in total, these small places offered a rich diversity. With the spread of us weed people, homogeneity between towns is becoming the rule. The sounds of the voices in any one place and even the landscape itself begin to resemble those found in other places."

Rawls is right and his sense of dissolution is correct. But to keep it in context, we Americans have always been weeds, pushing onto someone else's turf, imposing our majority values, such as they are, and offering little respect for the land. The problem is that "out there" isn't there any more and we've yet to come to terms with that.

—*Ward Sinclair*

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The Defense Revolution: Strategy for the Brave New World. Kenneth L. Adelman, Norman R. Augustine, *ICS Press, $19.95.* Whole herds of hobby horses are ridden to exhaustion in the six chapters of this book expounding on geostrategy and military policy, six "myths" about the defense acquisition system, five "realities" that must be addressed if that system is to be fixed, and seven "memos to policymakers," ranging from George Bush to Mikhail Gorbachev, from the U.S. Congress to the defense industry.

It's no surprise, considering the source, that this book is indignantly supportive of that industry. Augustine is chairman of the defense-industrial titan, Martin-Marietta Corp., and Adelman directed the U.S. Arms Control Agency throughout the Reagan regency. The authors may be right in arguing that changes in budgets, the political climate, and procurement rules mean that defense contracting is now far less of a money lode than it was during the first half of the roaring eighties. It is also true that alleged waste and fraud on such highly publicized items as $7,000 coffee pots do not consume as much of the $300 billion annual defense budget as many critics want to believe.

But the authors also badly overplay their hand. "Actions taken to monitor America's defense industry," for example, are compared to the political terror unleashed by "the Red Guard during its heyday in communist China." Hmmm . . . none of Augustine's colleagues have yet been frog-marched through the streets in dunce caps to be jeered at by the populace. But in the face of such egregious abuses as the one that forced the Marine Corps to stand down Harrier jump jets during the Persian Gulf crisis thanks to fraudulent parts testing by Northrup Corp., Red Guard tactics don't sound all that extreme.

Some readers may also find rather self-serving the discussion of "techflation," the phenomenon by which the mounting unit costs of advanced weaponry far exceed the rate of dollar inflation. (Adelman and Augustine don't address the military's thus far unfulfilled promises that cheaper *operating* costs for these new weapons will compensate for their much higher

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procurement costs.) What this means, we are told, is that a no-real-growth defense budget, accounting for both inflation and techflation, must actually increase annually in nominal terms by 7.9 percent. To deal with this steady erosion of buying power, of course, the authors come down firmly in favor of cutting force structure while preserving the "bowwave" of costly weaponry authorized during the high-flying Reagan era that ties up so much future funding. This is precisely the tack Dick Cheney's Pentagon has chosen to take.

Some of Adelman and Augustine's suggestions do manage to run against the Washington grain: their call for implementation of some sort of national industrial policy, for instance. But on specific weaponry, they tend to favor most of the big-ticket, high-tech wonders—the B-2 stealth bomber and "Star Wars," for example—now jostling for a place in a Pentagon budget increasingly incapable of accommodating them all. This is less than helpful, but it may also be something of an occupational hazard for conservative "defense reformers." For instance, after working for months on a "conventional combat priorities" study, a distinguished panel assembled by the Center for Strategic and International Studies recently endorsed stealth fighters and the rest of the Pentagon's current torrent of "priorities."

An odd literary couple, the authors both worked at Fort Fumble in the mid-seventies—Adelman as an assistant secretary of defense and Augustine as an undersecretary of the Army. They are both also authors of recent books on arms control and arms building, from which much material appears to have been recycled here. In last year's *The Great Universal Embrace: Arms Summitry—A Skeptic's Account*, Adelman, no fan of arms control, slipped on a Freudian banana peel, describing himself—erroneously, if appropriately—as the former director of the "Arms Agency." The humor in *Augustine's Laws* was more intentional. Augustine's wry wit and acerbic takes on the foibles of the "military-industrial-congressional complex" inform this joint effort as well—which only makes the book's failure to break the important ground on what ails that complex all the more disappointing. All in all, *Defense Revolution* is breezier and more entertaining than most of its ilk, but one still wishes the authors had avoided the irritating, George Will-esque overreliance on recycled *mots justes* by luminaries great and small. Evel Knievel and Nicholas I, Yogi Berra and Oliver Cromwell—everyone gets to stick an oar in here, Winston Churchill no fewer than six times.

Reformers love to quantify the ills of the system they are dissecting by pointing to the paper indices of regulation and oversight run riot: the 30,000 pages of federal acquisition rules issued by 79 different government offices and the 120,000 written requests for information that flow every year from Capitol Hill to the Pentagon. But if America's vanishing forests are being sacrificed to feed this insatiable bureaucratic maw, the pulp mills are kept no less busy supporting the publishing efforts of the reformers. My far-from-comprehensive home library boasts no fewer than five books on defense reform published over the past year alone. *Defense Revolution* joins that groaning shelf.

Like its many predecessors, this volume contains much advice that is sensible. Yes, "the age-old dichotomy between authorization and appropriation legislation should end." It really is a "crushing" waste of time. And, yes, we should "ensure that our military forces are an integrated operating entity, not merely a collection of individual service contributions." Interservice rivalry has prompted immense wastes of energy and money.

But there are deeply entrenched political and bureaucratic reasons why these and other patently unsensible phenomena persist. The Pentagon will never manage its sizable share of the taxpayer's tribute with the care that trove deserves as long as The Building is dominated by an ethic that the only way to get along is for officers and officials to go along. And Congress will never be able to do the job either as long as it functions largely as a pork barrel for the collection of campaign contributions to perpetuate eternal incumbency. After more than four decades of blue-ribbon commissions, official reports, and books such as this, it should be abundantly clear that jawboning alone will not revolutionize a

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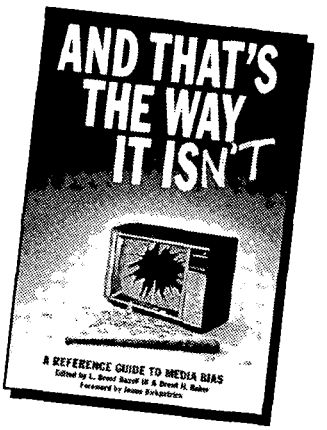

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defense establishment that, if and when the Soviet Union fully implements the Shatalin economic reform plan, will be the largest socialist economy in the world.

—*David C. Morrison*

Who's At The Helm? Raymond Tanter. *Westview Press, $24.95.* In the rotten morganatic marriage between government and entertainment, metaphors are always instructive. The Reagan foreign policy, for instance, can be understood as the "Twin Peaks" of American diplomatic history, if not *Eraserhead* or *Blue Velvet*, complete with dancing dwarf, unaccountable casualties, crazed officers, and dazed citizenry. The government archetype was racy, unplotted, and a bit perverse in real life long before the show-biz version appeared in prime time.

Like the television creation of director David Lynch, the Reagan policy seems to have been without lasting purpose, its expectant audience now baffled, now exploited, mistaking contrivance for design, effect for achievement. If only the Washington show had been merely a matter of ratings, reviews, and network fortunes, instead of blood and chaos.

Raymond Tanter, who saw it from the inside as a member of the National Security Council (NSC) staff in the early eighties, writes about one of the more obscure and fateful episodes of the prolonged drama—U.S. policy toward the recurrent Middle East crises of 1981-1983, including the Israeli invasion of Lebanon, seminal events that set the stage for so much to come, from Iran-contra to the current Punic expedition in the Persian Gulf.

From relatively modest beginnings as a White House foreign affairs staff under Eisenhower and Kennedy, the NSC has borne the mark and steady bloat of its successive masters. To Henry Kissinger and Richard Nixon, it was the praetorian guard of their expanding bureaucratic empire. Under Jimmy Carter, Zbigniew Brzezinski mistook it for some Danubian foreign ministry from the 1930s, with growth and titles to match. With the inimitable Reagan quartet of Richard V. Allen, William Clark, Robert McFarlane, and John Poindexter, it grew still larger and more powerful, sometimes confused with a drug or arms cartel, dabbling occasionally in snow tires for Oliver North or furtive White House tours for right-wing contributors.

Over the past two decades, literally hundreds of eager staff members have passed through the gingerbread portals of the old Executive Office Building into the inner sanctum of NSC power. There they were usually stripped of ideology or illusion and soon learned the ultimate little secret of national security politics—that regardless of president or party, the real enemy is not some foreign power but rather the omnipresent bureaucracy with its own election-proof agenda and interests. NSC staff members find they exert their real statesmanship not toward some coalition of exotic states, but in detente with Defense, grand alliances with the CIA, DIA, or the Joint Chiefs, covert action behind the secretaries at State or Treasury, and preemptive strikes on the Oval Office.

There are few vantage points on the Potomac spectacle more educational than that of the NSC staff. Still, it is expressive of the conformity and cult politics of the foreign policy establishment that so few have survived intellectually or morally to write about what they saw. Discounting personal advertisements and the "as told to" genre, Tanter's is one of only about a half-dozen genuine eyewitness accounts. He deserves to be read for that alone, although the book also reminds us that amid their ceaseless bureaucratic writhing, these people were about some serious business.

Like many NSC recruits, Tanter came to the staff in 1981 as a quasi-political academic, his resumé by that time already including a stint with then-congressman Donald Rumsfeld, some teaching jobs in the Midwest, and several intervals in Jerusalem spent studying (and apparently admiring) Israeli foreign policy. As deputy chief of the NSC's Near East Office, he promptly found himself enmeshed in a typical Byzantine backroom battle over policy toward the Syrian-Palestinian-Israeli jockeying in Lebanon. Secretary of State Alexander Haig and various "globalists" like Tanter were on one side, with, as the book tells it, assorted villains on the other, among them "regionalist" state department negotiator Philip Habib; Secretary of Defense Caspar Weinberger, and, not least, special envoy and later NSC Advisor Bud McFarlane.

Tanter sees the essential issue as the globalists' creative if somewhat vague wish to "combine force and diplomacy" marshaled against those timorous bureaucrats "hesitant to reap whatever benefits there may have been for the United States in Israel's threats and use of force." Cleared of the gauze of academic or NSC prose, it was the hoary struggle between some of Washington's oldest factions—the robust pro-Israeli, Soviets-in-the-desert interventionists versus the cautious career officers and their occasional cabinet allies, men who were scarcely pro-Arab or soft on the Reds (Habib, after all, was once among our most passionate proconsuls in Saigon) but who instinctively shied away from the diplomatic costs and unpredictability of yet another Israeli attack.

Tanter gives his own partisan but revealing account of the tortuous period from 1981 through 1983, when U.S. policy was paralyzed by intramu-

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ral politics while the Middle East protagonists plunged ever deeper into the fathomless factionalism of the Lebanese civil war. A Phalangist dirt road in the Bekaa Valley would thus lead to Syrian missiles, to the Israeli invasion of 1982, eventually to 241 U.S. Marines dead in the wreckage both of makeshift barracks and of an equally flimsy policy—and still further into the mists of the Iran-contra scandal and even Iraq's seizure of Kuwait.

It is all much too reminiscent of my own experience on the NSC staff on different issues, from a different perspective, more than a decade before Tanter. There is the ready perversion of intelligence, the all-purpose evocation of Soviet might and cunning, and the interminable bureaucratic squabbling, distraction, and distortion. And all the while, like the Hound of the Baskervilles, Ronald Reagan is amiably absent from the history. "Presidential uninvolvement," Tanter nimbly calls it.

Washington could think of, and agree on, nothing better than to scold (but then quickly resupply) the Israelis after their invasion of Lebanon and siege of Beirut. What followed was the PLO expulsion from the Levant and the still more bloody and convoluted turmoil among Lebanese factions and their Syrian, Iranian, and Iraqi sponsors, making the crises of 1981-1983 in many ways the parent of the Intifada, the hostage agonies of the late eighties, and the wider Arab despair with American policy, a despair so deep that it now greets even Saddam Hussein as a hero.

Unwilling or unable to transcend his often pedantic approach, Tanter misses the precious chance to tell the rich human yarn of all this blundering and shortsightedness. He concludes his survey of a "map for mismanagement" with some remarkably bland assertions—that the president should run foreign policy along with the secretaries of state and defense, while the NSC advisor acts as a mere "honest broker"; that the "structure" should avoid the lethal bureaucratic rivalries; that crisis is the White House's opportunity for leadership. All beg rather simple questions. Either a president knows and makes foreign policy or he doesn't. Either he "structures" a veritable coup d'etat to replace the half-century-old system or he doesn't. Either the constitutionally elected leadership runs the nation's foreign affairs in *and* out of crisis or it doesn't.

In any case, Tanter should be required reading this ominous winter—and not only for his surgical rendition of past dithering and debacle. Far more eloquent is the unstated—the bureaucrat/expert's utter absorption in the barren geopolitical and bureaucratic gaming, his dismissal and negligence of the root *policy* issue of our Middle East anguish: the settlement of Palestinian sovereignty, and, at long last, the final exit of Western colonialism in all its forms.

As it is, the few hundred Marines at the Beirut airport in 1982 have become the 400,000-plus U.S. expeditionary force of 1990. And while it is poised on yet another line in the quicksand of Middle East politics, many of the same dwarfs still dance in Washington.

—*Roger Morris*

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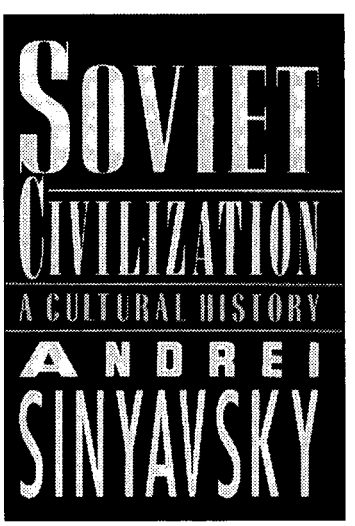

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